



## LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: May 2, 2007

Time: Closed Session 5:30 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

**NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

**C-1 Call to Order / Roll Call**

**C-2 Announcement of Closed Session**

- a) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Unrepresented Mid-Management and Executive Management Groups and Police Mid-Management Pursuant to Government Code §54957.6
- b) Actual Litigation: Government Code §54956.9(a); One Case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651
- c) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658

**C-3 Adjourn to Closed Session**

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

**C-4 Return to Open Session / Disclosure of Action**

**A. Call to Order / Roll call**

**B. Invocation – Rod Suess, Vinewood Community Church**

**C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations
  - a) Peace Officer Memorial Month (PD)
  - b) National Public Works Week (PW)
  - c) Zinfandel Month
- D-3 Presentations – None

**E. Consent Calendar (Reading; Comments by the Public; Council Action)**

- E-1 Receive Register of Claims in the Amount of \$2,821,330.28 (FIN)
- E-2 Approve Minutes (CLK)
  - a) April 4, 2007 (Regular Meeting)
  - b) April 10, 2007 (Shirtsleeve Session)
  - c) April 10, 2007 (Special Meeting)
  - d) April 17, 2007 (Shirtsleeve Session)
  - e) April 17, 2007 (Special Joint Meeting w/Arts Commission)
  - f) April 24, 2007 (Shirtsleeve Session)

- E-3 Approve Specifications and Authorize Advertisement for Bids to Procure 15kV Class Indoor Switchgear for the Killelea Substation Rehabilitation Project (EUD)
- E-4 Approve Request for Proposals for Services to Provide the Routing and Siting Evaluation, Alternative and Right-of-Way Analysis, Issue Identification, Cost/Benefit Studies, and Other Related Recommendations for a Potential Transmission Line Interconnection to White Slough Water Pollution Control Facility (EUD)
- Res. E-5 Adopt Resolution Approving the Purchase of 14 Ballistic Helmets for the Lodi Police Department Special Weapons and Tactics Team (\$5,810) (PD)
- Res. E-6 Adopt Resolution Accepting the Award from the Department of Homeland Security for the Purchase of Radios for the Lodi Police Department's Special Weapons and Tactics Team and Appropriate \$60,000 for Purchase of Radios (PD)
- Res. E-7 Adopt Resolution Awarding the Contract for Elm Street Overlay 2007 to DSS Engineering Company, of Stockton (\$374,833) (PW)
- Res. E-8 Adopt Resolution Approving the Agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for Use of Pools at Twin Arbor Athletic Club Facilities that Will Serve the Summer Swim League Program, Which Will Run for the Period of May 29, 2007 to July 26, 2007 (PR)
- Res. E-9 Adopt Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Wenell Mattheis Bowe for Finance Department Relocation (\$82,000) (PW)
- E-10 Approve Letters to State Water Resources Control Board in Support of Mokelumne River Water Rights Applications (PW)
- E-11 Set Public Hearing for May 16, 2007, to Consider Introduction of an Ordinance Amending Chapter 13.20, "Electrical Service," by Amending §13.20.210, Schedule EM (Mobile Home Park Service) to Become Effective July 1, 2007 (EUD)
- E-12 Set Public Hearing for May 16, 2007, to Consider Introduction of an Ordinance Amending Chapter 13.20, "Electrical Service," by Replacing §13.20.175, Schedule MCA (Market Cost Adjustment), with Schedule ECA (Energy Cost Adjustment) (EUD)
- E-13 Set Public Hearing for June 6, 2007, to Consider Adopting Resolution Adjusting Consumer Price Index-Based Water and Wastewater Rates (PW)

**F. Comments by the Public on Non-Agenda Items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Comments by the City Council Members on Non-Agenda Items**

**H. Comments by the City Manager on Non-Agenda Items**

**I. Public Hearings**

- Res. I-1 Continued Public Hearing to Consider Adoption of Resolution Establishing Public Works Department Engineering Fees for Various Development-Related Engineering Services; Establishing Standard Unit Price Schedule for Calculation of Engineering Fees and Improvement Security; and Establishing Requirement for Warranty Security for Public Improvements (PW)

**NOTE: This item is carried over from the meeting of 4/18/07**

- Res. I-2 Continued Public Hearing to Consider Adoption of Resolution Setting Storm Drainage Permit Compliance Inspection Fees for Wet Season Construction Inspections (PW)  
**NOTE: This item is carried over from the meeting of 4/18/07**

**J. Communications**

- J-1 Claims Filed Against the City of Lodi – None  
J-2 Appointments  
a) Appointments to the Lodi Improvement Committee (LIC) and Post for One Remaining Vacancy on the LIC (CLK)  
J-3 Miscellaneous – None

**K. Regular Calendar**

- K-1 Consideration of Water Meter Retrofit Policy (PW)  
**NOTE: This item is carried over from the meeting of 4/18/07**  
K-2 Receive Progress Report on City of Lodi General Plan Update (CD)  
**NOTE: This item is carried over from the meeting of 4/18/07**  
K-3 Consideration of Adjustments to the City Manager and City Attorney Employment Agreements (CM)  
**NOTE: This item is carried over from the meetings of 4/4/07 and 4/18/07**  
Res. K-4 Adopt Resolution Certifying the Canvass of Election Results and Determining Results of the  
Ord. Election for Community Facilities District 2007-1 (Public Services) and Introduce Ordinance  
(Introduce) Levying and Apportioning the Special Tax in Community Facilities District No. 2007-1 (Public Services) (PW)  
K-5 Overview of 2007-08 Operating and Capital Outlay Budget and Set Public Hearing for May 30, 2007, to Review and Receive Comments Regarding City of Lodi 2007-08 Operating and Capital Outlay Budget (CM)  
K-6 Consideration of the Status of the Animal Shelter Task Force (CLK / PD)  
K-7 Approve Lodi Tourism Business Improvement District (LTBID) 2007 Annual Report, as submitted by the LTBID Board of Directors (CLK)  
Res. K-8 Adopt Resolution Approving Reclassification and Salary Adjustment for City Engineer and Equity Pay Adjustment for Public Works Director (CM)  
Res. K-9 Adopt Resolution Approving Control Point Adjustments for Executive Management and Cost of Living Adjustments for Unrepresented Mid-Managers (CM)

**L. Ordinances – None**

**M. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

---

Randi Johl  
City Clerk



## **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Peace Officer Memorial Month

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Jerry J. Adams, Chief of Police

---

**RECOMMENDED ACTION:** Proclaim the Month of May, 2007, to be known as Peace Officer Memorial Month throughout the City of Lodi.

**BACKGROUND INFORMATION:** The Lodi Police Department requests that the Council make this proclamation in keeping with such tributes at the state and national level. This year, the week of May 13 through May 19 is designated National Police Week, while May 3<sup>rd</sup> is the date of the California Peace Officer Memorial Ceremony. These ceremonies are held annually to honor the memory of over 17,900 law enforcement officers who have lost their lives in the line of duty throughout the United States. Of the 145 line of duty deaths in 2006, California's loss was 12 officers.

Members of the Lodi Police Department, led by its Honor Guard, will hold a ceremony early the morning of May 2<sup>nd</sup> at the gravesite of Officer Rick Cromwell (5/7/63 – 12/9/98), the only Lodi Police Officer ever lost in the line of duty. They will continue on to the Stockton Police Department where the Stockton Police Officers Association will hold Memorial Services honoring fallen law enforcement officers from throughout San Joaquin County. On Thursday, May 3<sup>rd</sup> the Lodi Police Honor Guard will participate in the California Memorial Enrollment Ceremony in Sacramento.

An inscription at the California State Memorial reads: "Go, stranger, and tell the (people) that we lie here in obedience to their laws." We urge the City Council to join in this message, honoring our fallen Peace Officers.

**FISCAL IMPACT:** None

**FUNDING AVAILABLE:** N/A

---

Jerry J. Adams  
Chief of Police

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** National Public Works Week Proclamation

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Present a proclamation proclaiming the week of May 20-26, 2007, as "National Public Works Week".

**BACKGROUND INFORMATION:** Public Works Week is a national event to educate the public on how important the contribution of Public Works is to their daily lives. This year's theme is "Public Works: Moving Life Forward". This theme reflects how important Public Works is to our community. The men and women in Public Works who plan, design, build and maintain our water, wastewater, drainage and street systems, City buildings, and fleet, and who are responsible for the City's transit and solid waste services play a role in the quality of life in our community and are helping to move life forward.

The Public Works Department will host tours at the Municipal Service Center on May 23<sup>rd</sup> for some of the local elementary school classes. The children will learn about the importance of the different jobs and responsibilities of the department to the community. The tours will show how various pieces of equipment work, along with live demonstrations which emphasize the safety precautions to be used while around the equipment.

A representative of the Public Works Department will be present to accept the proclamation.

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** Not applicable.

\_\_\_\_\_  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Rebecca Areida, Management Analyst

RCP/RA/pmf

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



## **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Zinfandel Month

**MEETING DATE:** May 2, 2007

**PREPARED BY:** City Clerk

---

**RECOMMENDED ACTION:** Present proclamation proclaiming the month of May 2007 as "Zinfandel Month" in the City of Lodi.

**BACKGROUND INFORMATION:** The Mayor has been requested to present a proclamation proclaiming the month of May 2007 as "Zinfandel Month" in the City of Lodi. Mark Chandler with the Lodi-Woodbridge Winegrape Commission will be at the meeting to accept the proclamation.

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None.

---

Randi Johl  
City Clerk

RJ/JMP

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



TM

## **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Receive Register of Claims Dated April 5 and April 12, 2007 in the Total Amount of \$2,821,330.28.

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Financial Services Manager

---

**RECOMMENDED ACTION:** Receive the attached Register of Claims for \$2,821,330.28.

**BACKGROUND INFORMATION:** Attached is the Register of Claims in the amount of \$2,821,330.28 dated 4/05/2007 and 4/12/2007. Also attached is Payroll in the amount of \$1,121,147.91.

**FISCAL IMPACT:** n/a

**FUNDING AVAILABLE:** As per attached report.

---

Ruby R. Paiste, Financial Services Manager

RRP/rp

Attachments

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

Accounts Payable  
Council Report

Page - 1  
Date - 04/18/07  
Amount

As of Thursday	Fund	Name	Amount
04/05/07	00100	General Fund	881,247.36
	00123	Info Systems Replacement Fund	47.78
	00160	Electric Utility Fund	27,751.64
	00164	Public Benefits Fund	1,103.71
	00170	Waste Water Utility Fund	22,928.75
	00172	Waste Water Capital Reserve	18,412.73
	00180	Water Utility Fund	2,728.74
	00210	Library Fund	11,516.52
	00260	Internal Service/Equip Maint	11,772.83
	00270	Employee Benefits	388,454.03
	00300	General Liabilities	25,032.94
	00321	Gas Tax	20,895.24
	00325	Measure K Funds	313.99
	00340	Comm Dev Special Rev Fund	22,145.73
	01211	Capital Outlay/General Fund	1,491.20
	01218	IMF General Facilities-Adm	35,994.87
	01250	Dial-a-Ride/Transportation	17,238.17
	01410	Expendable Trust	18,377.72
Sum			1,507,453.95
	00184	Water PCE-TCE-Settlements	278,620.96
	00190	Central Plume	24,570.62
Sum			303,191.58
Total for Week			
Sum			1,810,645.53



Accounts Payable  
Council Report

Page 1  
Date - 04/18/07  
Amount

As of Thursday	Fund	Name	Amount
04/12/07	00100	General Fund	435,703.82
	00160	Electric Utility Fund	4,205.80
	00164	Public Benefits Fund	690.93
	00170	Waste Water Utility Fund	8,772.27
	00172	Waste Water Capital Reserve	75,878.66
	00173	IMF Wastewater Facilities	28,561.50
	00180	Water Utility Fund	11,147.00
	00181	Water Utility-Capital Outlay	129.30
	00210	Library Fund	5,616.53
	00234	Local Law Enforce Block Grant	5,130.00
	00260	Internal Service/Equip Maint	2,151.26
	00270	Employee Benefits	24,041.24
	00300	General Liabilities	5,325.01
	00321	Gas Tax	5,730.82
	00325	Measure K Funds	10,682.36
	00340	Comm Dev Special Rev Fund	9,131.81
	00459	H U D	417.00
	00502	L&L Dist Z1-Almond Estates	1,213.33
	00503	L&L Dist Z2-Century Meadows I	1,018.33
	00506	L&L Dist Z5-Legacy I,II,Kirst	1,538.34
	00507	L&L Dist Z6-The Villas	1,740.00
	00550	SJC Facilities Fees-Future Dev	2,866.00
	01212	Parks & Rec Capital	85,691.10
	01250	Dial-a-Ride/Transportation	266,937.10
	01410	Expendable Trust	16,365.24
			-----
Sum			1,010,684.75
			-----
Total for Week			
Sum			1,010,684.75

## Council Report for Payroll

Page - 1  
Date - 4/18/07

Payroll	Pay Per Date	Co	Name	Gross Pay
-----	-----	-----	-----	-----
-				
Regular	04/08/07	00100	General Fund	757,633.29
		00160	Electric Utility Fund	130,343.43
		00164	Public Benefits Fund	5,162.00
		00170	Waste Water Utility Fund	69,120.13
		00180	Water Utility Fund	9,266.77
		00183	Water PCE-TCE	192.50
		00210	Library Fund	33,670.91
		00235	LPD-Public Safety Prog AB 1913	4,289.04
		00260	Internal Service/Equip Maint	18,302.30
		00321	Gas Tax	54,049.77
		00340	Comm Dev Special Rev Fund	36,003.21
		01250	Dial-a-Ride/Transportation	3,114.56
				-----
Pay Period Total:				
Sum				1,121,147.91



## **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Approve Minutes  
a) April 4, 2007 (Regular Meeting)  
b) April 10, 2007 (Shirtsleeve Session)  
c) April 10, 2007 (Special Meeting)  
d) April 17, 2007 (Shirtsleeve Session)  
e) April 17, 2007 (Special Joint Meeting w/Arts Commission)  
f) April 24, 2007 (Shirtsleeve Session)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** City Clerk

---

**RECOMMENDED ACTION:** Approve the following minutes as prepared:  
a) April 4, 2007 (Regular Meeting)  
b) April 10, 2007 (Shirtsleeve Session)  
c) April 10, 2007 (Special Meeting)  
d) April 17, 2007 (Shirtsleeve Session)  
e) April 17, 2007 (Special Joint Meeting w/Arts Commission)  
f) April 24, 2007 (Shirtsleeve Session)

**BACKGROUND INFORMATION:** Attached are copies of the subject minutes, marked Exhibits A through F.

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None required.

---

Randi Johl  
City Clerk

RJ/JMP

Attachments

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, APRIL 4, 2007**

**C-1     CALL TO ORDER / ROLL CALL**

The City Council Closed Session meeting of April 4, 2007, was called to order by Mayor Johnson at 5:30 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian [excluding C-2 (d), (e), and (f)],  
Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**C-2     ANNOUNCEMENT OF CLOSED SESSION**

- a) Review of Council Appointees – City Manager and City Attorney – pursuant to Government Code §54957
- b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Norma Carson against City of Lodi Based on Personal Injury
- c) Actual Litigation: Government Code §54956.9(a); Two Consolidated Cases; Ana Perez v. Allen Aadland, City of Lodi, et al. and Allstate Insurance Company v. City of Lodi, Allen B. Aadland, Lodi Electric Utility, et al., San Joaquin County Superior Court Case No. CV 028324
- d) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- e) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- f) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976

**C-3     ADJOURN TO CLOSED SESSION**

At 5:30 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:55 p.m.

**C-4     RETURN TO OPEN SESSION / DISCLOSURE OF ACTION**

At 7:03 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Items C-2 (a) and C-2 (b) were not discussed.

In regard to Item C-2 (c), settlement direction was given.

Items C-2 (d), C-2 (e), and C-2 (f) were discussion and direction only.

**A.     CALL TO ORDER / ROLL CALL**

The Regular City Council meeting of April 4, 2007, was called to order by Mayor Johnson at 7:03 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Pastor Bill Cummins, Bear Creek Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Johnson.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 (a) Juan Villarreal, President of the Library Board of Trustees, presented the Library Volunteer of the Year Award to Patricia Stump.

D-2 (a) Following introductory comments by Joseph Wood, Community Improvement Manager, Mayor Johnson presented a proclamation to Jennelle Bechthold and Tom Sanchez, representing Central California Waste Services, proclaiming the month of April 2007 as "Keep Lodi Beautiful Month" in the City of Lodi.

D-3 (a) Corinne Casey and Sarah McConahey, representing the Greater Lodi Area Youth Commission, provided the Council with a quarterly update on the Commission's activities and accomplishments.

---

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Mounce, Hansen second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

E-1 Claims were approved in the amount of \$3,524,504.92.

E-2 The minutes of March 20, 2007 (Shirtsleeve Session), March 21, 2007 (Regular Meeting), and March 27, 2007 (Shirtsleeve Session) were approved as written.

E-3 Approved the specifications and authorized advertisement for bids for landscape maintenance for the Lodi Consolidated Landscape Assessment District 2003-1, fiscal year 2007-08.

E-4 Approved the specifications and authorized advertisement for bids for 3,000 tons of asphalt materials for fiscal year 2007-08.

E-5 Approved the specifications and authorized advertisement for request for proposals for various photocopiers in several City departments.

E-6 "Adopt Resolution Awarding the Contract to HDR, Inc., of Folsom, for Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation for Water Supply and Transmission System (\$400,000) and Authorizing the City Manager to Execute the Contract" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.

E-7 Adopted Resolution No. 2007-55 authorizing the City Manager to enter reimbursement agreements with developers seeking staff and contract resources to process development applications and developments.

E-8 "Approve New Development Code Update Plan and Adopt Resolution Authorizing the City Manager to Enter into a Contract with Jacobson & Wack in the Amount of up to \$55,000 for Contract Services Related to the Completion of the Development Code Update" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.

- E-9 "Adopt Resolution Ratifying Memorandums of Understanding with the Lodi City Employees General Services and Maintenance and Operators Units (July 1, 2006 through June 30, 2008)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**
- E-10 Received report regarding final costs for the November 7, 2006, General Municipal Election.
- E-11 Set public hearing for April 18, 2007, to consider an appeal to the Planning Commission's approval of a Conditional Use Permit for Wine Country Casino and Restaurant located at 1800 South Cherokee Lane (Wine Country Casino and Restaurant, applicant; Kenneth R. Owen, appellant).

---

ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

- E-6 "Adopt Resolution Awarding the Contract to HDR, Inc., of Folsom, for Surface Water Treatment Facility Conceptual Design and Feasibility Evaluation for Water Supply and Transmission System (\$400,000) and Authorizing the City Manager to Execute the Contract"

This item was pulled by Council Member Katzakian for further discussion.

In response to Council Member Katzakian, Public Works Director Prima stated there is no commitment to take the project any further than the scope outlined in the staff report, which is primarily through a variety of reports and studies. Mr. Prima stated the national firm is reputable, has written casebooks regarding the subject matter, and would be capable of designing the project.

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Katzakian second, unanimously adopted Resolution No. 2007-56 awarding the contract to HDR, Inc., of Folsom, for surface water treatment facility conceptual design and feasibility evaluation for water supply and transmission system in the amount of \$400,000 and authorizing the City Manager to execute the contract.

- E-8 "Approve New Development Code Update Plan and Adopt Resolution Authorizing the City Manager to Enter into a Contract with Jacobson & Wack in the Amount of up to \$55,000 for Contract Services Related to the Completion of the Development Code Update"

Council Member Hitchcock pulled this item for further discussion and presentation.

Community Development Director Hatch provided an overview of the history and current status of the proposed development code, specifically outlining the information provided at the February 13, 2007, Shirtsleeve Session.

Council Member Hitchcock stated she will not support approving the contract based on her concerns regarding the process, previous budget allocations, timing, costs, amendments, and the draft code document. Community Development Director Hatch replied a noticed hearing is required before the Planning Commission and items, such as residential intensification and mobile food vendors, must be added to the draft code document.

Council Member Hansen stated he is looking forward to getting back on track and taking advantage of institutional knowledge provided by previous consultants.

MOTION:

Council Member Hansen made a motion, Mounce second, to approve the new Development Code Update Plan and adopt Resolution No. 2007-57 authorizing the City Manager to enter into a contract with Jacobson & Wack in the amount of up to \$55,000 for contract services related to the completion of the Development Code update.

DISCUSSION:

Mayor Pro Tempore Mounce stated she believed the proposed development code will help address issues in the aging parts of the City.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hansen, Katzakian, Mounce, and Mayor Johnson

Noes: Council Members – Hitchcock

Absent: Council Members – None

- E-9 “Adopt Resolution Ratifying Memorandums of Understanding with the Lodi City Employees General Services and Maintenance and Operators Units (July 1, 2006 through June 30, 2008)”

Council Member Hitchcock requested a presentation regarding the subject matter.

City Manager King provided an overview of the proposed Memorandums of Understanding (MOU). He specifically discussed negotiating with the two bargaining units, action based upon Council direction, one frozen year without any increase, term expirations, the International Brotherhood of Electrical Workers (IBEW) MOU, and staff recommendation. Mr. King also thanked the groups for foregoing one year cost of living adjustment (COLA) increases for the betterment of the City.

In response to Council Member Hitchcock, Mr. Krueger stated the 3% to 5% COLA range is similar to the IBEW provisions and is reasonable based on Consumer Price Index comparisons.

Discussion ensued between Council Member Hitchcock, City Manager King, and Deputy City Manager Krueger regarding the applicability of a “me too” clause.

In response to Council Member Hitchcock, Mr. King stated salary survey benchmarks can be based on the nine City survey groups or on positions. He stated the ability to pay is also a consideration. Mr. Krueger stated they will start the survey process on January 1, 2008, and expect it to be completed by April 2008.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted Resolution No. 2007-58 ratifying MOUs with the Lodi City Employees General Services and Maintenance and Operators Units (July 1, 2006 through June 30, 2008).

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Gene Davenport provided the City Council with a brochure of information regarding the establishment of the San Joaquin DART Team and provided a brief presentation regarding the same.
- Kathy McClelland, Director of the Building Blocks organization, provided a brief presentation regarding the April 7, 2007, 5K run and walk benefit.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

None.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King reported that City Engineer Wally Sandelin and Parks and Recreation Director Tony Goehring were retiring and congratulated them on their years of service.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to receive public input and to consider adoption of a resolution to act to form the Community Facilities District No. 2007-1 (Public Services) and set an election date for April 11, 2007.  
City Manager King briefly introduced the subject matter.

City Engineer Wally Sandelin provided a brief PowerPoint presentation discussing topics including, but not limited to, Reynolds Ranch, community facilities report, goals and policies, services to be funded, services cost estimate, public hearing, proposed resolution, and amended boundary map.

In response to Council Member Hansen, City Manager King stated the community facilities district (CFD) looks at services only and not capital projects. He stated properties on the amended boundary map are conditioned to join at a later date.

In response to Council Member Hitchcock, City Manager King stated a new subdivision of five or more units, which is consistent with the Subdivision Act, will be required to join the current CFD or form an additional CFD. Consultant Susan Goodwin stated a single property currently located within the boundaries of the district will be taxed if it subdivides at a future date. City Attorney Schwabauer stated the provisions of the Subdivision Act prevent single lot developments through subterfuge.

In response to Council Member Hansen, City Manager King stated there is an expectation of 100% on the election for properties covered by the development agreement.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, unanimously adopted Resolution No. 2007-59 establishing Community Facilities District No. 2007-1 (Public Services) and calling an election for April 11, 2007, for the purpose of submitting the levy of the special tax and the establishment of an appropriations limit to the qualified electors of the proposed Community Facilities District.

- I-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider resolution adopting Engineer's Report, confirming assessments, overruling protests, and declaring assessment ballot results and annexing territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and forming Guild Avenue Industrial Zone 13.

City Manager King briefly introduced the subject matter.

Senior Civil Engineer Sharon Welch provided a brief report regarding the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and Guild Avenue Industrial Zone 13. Ms. Welch specifically discussed the three subject parcels, improvement overviews for Victor Road, and assessment and revenue timelines.

In response to Council Member Hitchcock, Ms. Welch stated the 5% maximum for the three parcels increases on an annual basis.



Hearing Opened to the Public

None.

Public Portion of Hearing Closed

RECESS

At 8:27 p.m., Mayor Johnson called for a recess, and the City Council meeting reconvened at 8:37 p.m.

I. PUBLIC HEARINGS (Continued)

I-2 City Clerk Johl reported that the election results were as follows:  
(Cont'd.)

Property owner Archer Daniels Midland Corporation (APN 049-040-91) represents 58.77% of the total assessment, which equals \$5,351.99. This property owner voted in favor of the assessment.

Property owner Clarkson California Properties (APN 049-080-17) represents 21.26% of the total assessment, which equals \$1,936.32. This property owner voted in opposition to the assessment.

Property owner Delmar and Doris Batch (APN 049-080-16) represent 19.97% of the total assessment, which equals \$1,818.21. To date, this property owner did not vote.

The assessment was successful by a 58.77% majority vote.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Katzakian second, unanimously adopted Resolution No. 2007-60 declaring the results of the assessment ballot tabulation, to annex territory into the Lodi Consolidated Landscape Maintenance District No. 2003-1, ordering maintenance work therein, and confirming the report, diagram, and assessment and providing for the levy of the annual assessment therein.

I-3 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider approval of the following items:

- a) Approve the following Negative Declarations:
  - Negative Declaration 06-03 for the General Plan amendment and change in zoning for the Gini Project (expansion of auto-related businesses);
  - Negative Declaration 06-04 for the General Plan amendment and change in zoning for the Lodi Memorial Hospital Project (new south wing addition and other related facilities);
- b) Amend the General Plan designation for 1333 and 1325 South Central Avenue from Eastside Residential to General Commercial (Gini Project) and for 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from Low Density Residential to Office (Lodi Memorial Hospital Project);
- c) Rezone 1333 and 1325 South Central Avenue from RE-1, Single Family Residential Eastside, to C-2, General Commercial; and
- d) Rezone 975, 999, and 1031 South Fairmont Avenue; 1200 West Vine Street; and 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from RCP, Residential-Commercial-Professional Office, and R2, Residence District, to PD, Planned Development, and approve Development Plan.

NOTE: Due to a potential conflict of interest stemming from his employment as a real estate appraiser, Mayor Johnson abstained from discussion and voting on the Lodi Memorial Hospital Project matter only (not the Gini Project).

Community Development Director Hatch provided a historical review and current status report of the proposed Gini Project, including Planning Commission review and staff recommendation regarding the same.

In response to Council Member Hitchcock, Mr. Hatch stated the proposed usage is auto-related and the proposed parking, based on square footage, meets City standards and does not take into account the bays, which may represent additional parking.

In response to Council Member Hitchcock, Mr. Hatch stated staff did review the parking by the church and determined that the west side parking would not be burdened because all other parking requirements were met. Discussion ensued between Council Member Hitchcock and Mr. Hatch regarding the masonry wall, final building designs, and egress and ingress from Kettleman Lane for circulation needs.

In response to Mayor Pro Tempore Mounce, Mr. Hatch stated the adjacent houses may have been originally zoned commercial. He stated the zoning would not prevent normal maintenance but may require permits for certain repairs and expansions.

#### Hearing Opened to the Public – Gini Project

- Ken Gini, owner of the property, spoke in favor of the proposed action, based on his desire to expand and contribute to the community. In addition, he stated he is donating to Habitat for Humanity in an effort to address Ann Cerney's concerns regarding affordable housing. In response to Council Member Hansen, Mr. Gini stated the main access is through Kettleman Lane and there is no signage on Central Avenue. He stated he has been in business for 20 years and is adding services.
- Ann Cerney spoke in regard to her concern about California Environmental Quality Act compliance and stated she would like to see something specific about Mr. Gini's offer to donate to Habitat for Humanity.

In response to Council Member Hitchcock, Mr. Hatch stated there was not a significant impact on traffic, they received affirmative comments from Public Works on the ability to serve, and there are mandated oil separators for an auto-related business.

Community Development Director Hatch provided a historical review and current status report of the proposed Lodi Memorial Hospital Expansion Project, including Planning Commission review and staff recommendation regarding the same.

Mayor Johnson recused himself based on the appearance of a conflict as related to a business interest.

In response to Council Member Hitchcock, Mr. Hatch stated Phase 1 will meet parking requirements by using homes fronting Cardinal Street, but the parking structures will be necessary for Phases 2 and 3.

In response to Council Member Hansen, Mr. Hatch stated the new entrance is off of Ham Lane.

#### Hearing Opened to the Public – Lodi Memorial Hospital Project

- Joe Harrington, Chief Executive Officer for Lodi Memorial Hospital, stated the proposed expansion addresses ongoing efforts to meet the needs of the hospital until 2030 for growth and seismic requirements, medical and surgical beds, and emergency services. In response to Council Member Hitchcock, Mr. Harrington stated the entire project will cost approximately \$196 million. In response to Council Member Hansen, Mr. Harrington stated they will tear down the existing structure, instead of remodeling, because of seismic concerns and the parking structure will have to be completed prior to the wing. In response to Council Member Katzakian, Mr. Harrington stated the expansion will include 90 additional beds in private rooms.

#### Public Portion of Hearing Closed

MOTION #1 / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Hansen second, unanimously adopted Resolution No. 2007-61 certifying Negative Declaration 06-03 as adequate environmental documentation for the Gini Project General Plan amendment and rezone.

MOTION #2 / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, adopted Resolution No. 2007-62 certifying Negative Declaration 06-04 as adequate environmental documentation for the Lodi Memorial Hospital Project General Plan amendment and rezone. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mounce  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Mayor Johnson

MOTION #3 / VOTE:

The City Council adopted Resolution No. 2007-63 by the following motions/votes:

- On motion of Mayor Pro Tempore Mounce, Hansen second, unanimously amended the Land Use Element of the Lodi General Plan by redesignating 1333 and 1325 South Central Avenue from Eastside Residential to General Commercial (Gini Project); and
- On motion of Council Member Hitchcock, Hansen second, amended the Land Use Element of the Lodi General Plan by redesignating 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from Low Density Residential to Office (Lodi Memorial Hospital Project) by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mounce  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Mayor Johnson

MOTION #4 / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Katzakian second, unanimously introduced Ordinance No. 1795 amending the Official District Map of the City of Lodi and thereby rezoning 1325 and 1333 South Central Avenue (APN 047-270-11 and 047-270-12) from RE-1, Single Family Residential Eastside, to C-2, General Commercial, for the Gini Project.

MOTION #5 / VOTE:

The City Council, on motion of Council Member Hitchcock, Hansen second, introduced Ordinance No. 1796 amending the Official District Map of the City of Lodi and thereby rezoning 975, 999, and 1031 South Fairmont Street; 1200 West Vine Street; and 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from R-C-P, Residential-Commercial-Professional Office, and R-2, Residence District, to PD, Planned Development, for the Lodi Memorial Hospital Project. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mounce  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Mayor Johnson

MOTION #6 / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, adopted Resolution No. 2007-64 approving the Lodi Memorial Hospital Project Development Plan. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mounce  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Mayor Johnson

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 The following postings/appointments were made:

- a) The City Council, on motion of Mayor Pro Tempore Mounce, Johnson second, unanimously directed the City Clerk to post for the following expiring terms and vacancies:

Greater Lodi Area Youth Commission (Student Appointees)

Larissa Boyer	Term to expire May 31, 2007
Corinne Casey	Term to expire May 31, 2007
Jordan McCroskey	Term to expire May 31, 2007
Jonathan Newman	Term to expire May 31, 2007
Holly Jacobus	Term to expire May 31, 2008
Sarah McConahey	Term to expire May 31, 2008
Whitney Sandelin	Term to expire May 31, 2008

Library Board of Trustees

Cynthia Neely	Term to expire June 30, 2007
---------------	------------------------------

Lodi Arts Commission

Laura Heinitz	Term to expire July 1, 2007
Margie Lawson	Term to expire July 1, 2007
Beverly Norcross	Term to expire July 1, 2007

Planning Commission

Randy Heinitz	Term to expire June 30, 2007
Gina Moran	Term to expire June 30, 2007

J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 “Adopt Resolution Authorizing the City Manager to Execute a Memorandum of Understanding with San Joaquin County for Provision of Domestic Wastewater Treatment Services for County Service Area 31 (Flag City)”

Public Works Director Prima provided a general overview of the proposed Memorandum of Understanding (MOU) with San Joaquin County regarding Flag City as outlined in detail in the Council Communication. City Attorney Schwabauer stated the agreement does not cede land use control to the City, but it does ensure a third party cannot sue the City or County contending the City must admit them for treatment plant services. City Manager King stated the agreement also allows for a tax share agreement.

In response to Council Member Hitchcock, Mr. Schwabauer stated the City cannot control land use decisions by the County, but it can say that it will not expand sewer service to serve expanded areas, which practically will limit the County’s ability to expand or necessitate it building a plant of its own.

In response to Council Member Hitchcock, Mr. Schwabauer stated what to do in the event of an unauthorized connection is a negotiation point. Mr. King stated the purpose of the agreement is to have an ability to exercise some control over Flag City and obtain a tax base share, and not to be in the business of selling wastewater services.

Discussion ensued between Council Member Hitchcock, City Attorney Schwabauer, City Manager King, and Public Works Director Prima regarding exercising control over the County service area, obtaining a tax share of the serviced areas, punitive penalties, language protection in the agreement, services both in and outside of the City, capacity

concerns and possible expansion, design guidelines (which may be a precondition to enter into the agreement; although, the County still retains the ability to change), discharge permit, and access to the plant for connection purposes.

In response to Mayor Pro Tempore Mounce, Mr. Prima stated Stockton could physically hook-up to Lodi's connection, but it does not believe it is practical.

In response to Council Member Katzakian, Mr. Prima stated capacity is determined by showing the State that we can meet the capacity standards that we are asking for and there is sufficient cushion in the current application.

In response to Council Member Hansen, Mr. Prima stated a high-strength customer is defined in the ordinance based on volume.

PUBLIC COMMENTS:

- Ann Cerney stated the proposed MOU is discretionary and commented on California Environmental Quality Act requirements, growth considerations, and an administrative fee.

In response to Council Member Hansen, Mr. Prima stated the \$6 million capacity fee is a one-time cost paid before connection.

In response to Council Member Hansen, City Attorney Schwabauer stated in order to meet growth needs, Stockton would have to drastically change its current facility, build a new facility at great expense, or connect to the City's facility.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Katzakian second, adopted Resolution No. 2007-65 authorizing the City Manager to execute an MOU with San Joaquin County, including terminology for design standards, for provision of domestic wastewater treatment services for County Service Area 31 (Flag City). The motion carried by the following vote:

Ayes: Council Members – Hansen, Katzakian, and Mayor Johnson  
Noes: Council Members – Hitchcock and Mounce  
Absent: Council Members – None

- K-2 "Review Groundwater Charge for City Wells Proposed by the North San Joaquin Water Conservation District and Direct Staff as Appropriate"

***This item was tabled until the April 18, 2007, Council meeting to provide District staff with an opportunity to attend the meeting.***

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, unanimously tabled the matter until the regular meeting of April 18, 2007.

- K-3 "Adopt Resolution Approving Contract with Boom Boom Productions, of Hayfork, CA, for 2007 Fourth of July Fireworks Display and Approve Proposed Venue Location"

City Manager King provided a brief introduction to the subject.

Parks and Recreation Director Tony Goehring provided a PowerPoint presentation regarding the proposed 2007 Fourth of July fireworks display and venue location. Specific topics of discussion included contract with vendor of choice, site locations, fallout regulations, the undeveloped 13-acre site at Lodi Lake, advantages of the recommended site, Parks and Recreation Commission support, Rotary and World of Wonders (WOW) group involvement and costs associated with the same, fencing as security measure, admission to Lodi Lake, safety concerns, and costs associated with trash receptacles, port-a-potties, and personnel.

In response to Council Member Hitchcock, Mr. Goehring stated the City has not made a profit for the last nine years for the Oooh Ahhh festival, but it may come out ahead this time. City Manager King stated there is a small amount of funding for special events in the current budget.

Discussion ensued between the City Council and Mr. Goehring regarding charging an entrance fee.

In response to Council Member Hansen, Mr. Goehring stated there will be a weapons check using the wand.

Mayor Pro Tempore Mounce stated Stockton may be reconsidering having a fireworks display for the Fourth of July.

Sally Snyder, representative from WOW, stated it is planning on having a small family-friendly event in a specified area to promote the museum and fundraise for Rotary.

City Manager King stated the proposed vendors are Boom Boom, Inc. and Pyro Spectaculars. City Attorney Schwabauer stated there is a provision for a three-year term of contract with Pyro Spectaculars that he will follow up on.

Discussion ensued between Council Member Hitchcock, Mayor Pro Tempore Mounce, City Manager King, and City Attorney Schwabauer regarding liability concerns and proper insurance coverage.

Verne Person stated the Fire Department is supportive of working with both companies.

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Mounce second, unanimously adopted Resolution No. 2007-66 approving a one-year contract with Pyro Spectaculars, Inc., for 2007 Fourth of July fireworks display, in the amount of \$22,000, and approved the proposed venue location of the undeveloped 13-acre area west of Lodi Lake.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Mayor Pro Tempore Mounce, Hitchcock second, unanimously voted to continue with the remainder of the meeting, with the exception of Items K-4 and K-5, following the 11:00 p.m. hour.

K. REGULAR CALENDAR (Continued)

K-4 "Adopt Resolution Certifying Negative Declaration and Authorizing the City Manager to Execute Contracts for Construction, Testing and Inspection, and Construction Administration for White Slough Water Pollution Control Facility Phase 3 Improvements Project (\$17,543,774) and to Adjust Existing Appropriations" was ***pulled from the agenda pursuant to the above vote.***

K-5 "Consideration of Adjustments to the City Manager and City Attorney Employment Agreements" was ***pulled from the agenda pursuant to the above vote.***

L. ORDINANCES

- L-1 Following reading of the title of Ordinance No. 1793 entitled, "An Ordinance of the City Council of the City of Lodi Approving the Request of Tom Doucette, Frontier Community Builders, for Pre-Zoning to PD (Planned Development) on 151 Acres (Westside Project)," having been introduced at a regular meeting of the Lodi City Council held April 4, 2007, the City Council, on motion of Mayor Johnson, Hitchcock second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Hitchcock, Katzakian, and Mayor Johnson  
Noes: Council Members – Mounce  
Absent: Council Members – None  
Abstain: Council Members – Hansen

- L-2 Following reading of the title of Ordinance No. 1794 entitled, "An Ordinance of the City Council of the City of Lodi Adopting a Development Agreement Pertaining to the Development of 151 Acres Located on the West Side of Lower Sacramento Road between the Woodbridge Irrigation District Canal and Vine Street (Westside Project) (Development Agreement GM-05-002)," having been introduced at a regular meeting of the Lodi City Council held April 4, 2007, the City Council, on motion of Mayor Johnson, Katzakian second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Hitchcock, Katzakian, Mounce, and Mayor Johnson  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Hansen

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:34 p.m.

ATTEST:

Randi Johl  
City Clerk

**CITY OF LODI  
 INFORMAL INFORMATIONAL MEETING  
 "SHIRTSLEEVE" SESSION  
 CARNEGIE FORUM, 305 WEST PINE STREET  
 TUESDAY, APRIL 10, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, April 10, 2007, commencing at 7:31 a.m.

**A. ROLL CALL**

Present: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson  
 Absent: Council Members – Mounce  
 Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**B. TOPIC(S)**

**B-1 "Receive Information Regarding the Water Meter Retrofit Program"**

City Manager King briefly introduced the subject matter of the water meter retrofit program.

Public Works Director Prima provided a PowerPoint presentation (filed) regarding the subject matter. Specific topics of discussion included an outline of the program and background of the program including State deadlines, meter costs, pilot test data, revenue and rate implications of metering, other implications, rate goals, meeting rate goals, accelerated program, goal conversion, basic choices, and feasibility of choices.

In response to Mayor Johnson, City Attorney Schwabauer stated if a ballot measure comes forth, it would be subject to the constitutional Proposition 218 process and approval. City Manager King stated this is not a mandate, but a method by which the State ensures that local government pays for the program.

Discussion ensued between Council Member Hansen, Mayor Johnson, and Mr. Prima regarding previous efforts by the City regarding the installation of new sewer mains east of Vine Street.

In response to Council Member Hitchcock, Mr. Prima stated the chart shows each customer and how much they use on a total basis.

In response to Council Member Hitchcock, Mr. Prima stated staff is working on correlating data for pool properties.

In response to Council Member Katzakian, Mr. Prima stated he is not sure how the 15,400 figure compares to averages in other cities.

**PUBLIC COMMENTS:**

- In response to Myrna Wetzel, Mr. Prima stated watering hours and conservation efforts do affect rates and structure, but peak issue will not change too much. City Manager King stated, with a flat level payment, we receive the same amount, while a new structure with lump sum amounts may help with reserves and dry periods.

In response to Council Member Hansen, Mr. Prima stated traditionally gas and electric is individually measured for each apartment, while water and sewer are measured together per apartment building or lot.

In response to Mayor Johnson, Mr. Prima stated, in regard to landscaping uses, the winter time usage sets the bill for the next year. He stated staff has spoken to the Internal Revenue Service regarding the same and are reviewing a variety of ways to account for outside usage. City Manager King stated his experience is ratio basis and additional meters for landscaping.

In response to Council Member Hansen, Mr. Prima stated the water rates are largely determined by the cost of service, as with electric, and you pay less if you use less.



Mr. King stated the additional difference is that the water costs include only the cost of service and not the additional cost for the commodity itself.

In response to Council Member Hitchcock, Mr. Prima stated they charge based on use; not by peak times.

In response to Council Member Hitchcock, Mr. Prima stated it is not uncommon to see tiered rates for water among different cities. He stated he does not believe there is much of a correlation between the tiers and how much the customers pay.

In response to Council Member Hansen's question regarding the proposed increase and fairness of the bedroom system, Mr. King stated the matter was accelerated based on the people's request for water meters.

In response to Council Member Hansen, Mr. Prima stated the \$1,200 figure is a comfortable estimate for water meter installation and it may be feasible to have some payment options, while being cognizant of the cash flow issue.

In response to Mayor Johnson, Mr. Prima stated the users who pay for the full amount are a relatively small portion of the population.

In response to Council Member Hansen, Mr. Prima stated there may be some practical concerns regarding piecemeal efforts for property owners who may want to pay for and install the meter right away.

In response to Mayor Johnson, Mr. Prima stated the money could probably be collected within a three-year time period and implementation, even if it was done by a single large contractor, may be done within two years of the accelerated program.

In response to Council Member Hansen, Mr. Prima stated year 2010 is the deadline for starting to charge by water meters.

Discussion ensued between Council Member Hansen, City Manager King, and Mr. Prima regarding spreading costs, property owner options and costs, and Proposition 218 application.

Discussion ensued between Council Member Hitchcock and Mr. Prima regarding the share of costs for property owners, upgrading service and meter installation, properties located on the east side versus other areas in the City, previously installed meters, landscaping considerations, and installation efforts.

In response to Council Member Katzakian, Mr. Prima stated the actual cost of the meter is approximately \$200. City Manager King stated the option of a treat and drink plant is a policy consideration by Council to include structures with new properties that do not exist on the tax rolls now, as well as spreading out costs with existing housing.

City Manager King stated staff will be coming back to Council at a regular Council meeting for direction on how to proceed with the item.

**C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

- Eileen St. Yves spoke in favor of water meter installation and property owner responsibility for both installation and service purposes.

**D. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 8:47 a.m.

ATTEST:

Randi Johl, City Clerk

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, APRIL 10, 2007**

**EXHIBIT C**

**A. CALL TO ORDER / ROLL CALL**

The Special City Council meeting of April 10, 2007, was called to order by Mayor Johnson at 7:00 a.m.

Present: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson

Absent: Council Members – Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**B. REGULAR CALENDAR**

B-1 “Adopt Resolution Certifying Negative Declaration and Authorizing the City Manager to Execute Contracts for Construction, Testing and Inspection, and Construction Administration for White Slough Water Pollution Control Facility Phase 3 Improvements Project (\$17,543,774 Contracts) and to Adjust Existing Appropriations (\$20,600,000 Total Project)”

Public Works Director Prima provided a brief overview of the proposed contracts for White Slough. Specific topics of discussion included the history of the projects, the proposed additions of equipment and services associated with the project, consultant recommendations, bids and contractors, and staff recommendation.

In response to Council Member Hansen, Mr. Prima stated, while the contractor is known for being conservative, he is pleased that the bids came in under the Engineer's Estimate.

In response to Council Member Hansen, Mr. Prima stated the project is in response to a mandate by the State, which came with no funding.

In response to Council Member Hansen, Mr. Prima stated this project is a part of the permit process, which will be good for five years, and receipt is anticipated any day.

In response to Council Member Hansen, Mr. Prima stated the project does not address odor, which might need to be addressed at some time in the future if the State mandates it. Mr. Prima provided an overview of potential remedies.

In response to Council Member Hansen, Mr. Prima stated this is the final phase for the mandate and is covered by the previously instilled rate increase.

In response to Mayor Johnson, Mr. Prima stated staff is methodically studying options for land acquisition. City Manager King commented on an unknown lead for land acquisition.

In response to Mayor Johnson, Mr. Prima stated the possibility of doing the project without another financing is slight because the debt service proceeds remaining are not sufficient; although, a refinancing of the older Certificates of Participation (COP) may be an option.

Discussion ensued between Council Member Hitchcock and Mr. Prima regarding land acquisition, state permit measurements, cannery options for land usage, land contamination, nitrate remedies, and what other cities are doing.

In response to Council Member Hitchcock, Mr. Prima stated the timing of the funds is largely dependent upon how quickly they are able to mobilize and move, with an anticipated date of this summer or late fall. City Manager King stated the immediate issue is how to get effluent to the station. Mr. Prima stated the pipeline is not included in the current project cost.

In response to Council Member Hitchcock, Mr. Prima stated the cost associated with Phase 3 is approximately \$15 to \$20 million.

In response to Council Member Hitchcock, Mr. Prima stated that, while they do not anticipate significant unforeseen charges, the City may want to make some repairs to the domestic line.

In response to Mayor Johnson, Deputy City Manager Krueger stated a portion of the remaining COP is reserved for debt service and, while the County funds will definitely help, there are some variables.

MOTION/ VOTE:

The City Council, on motion of Council Member Hansen, Mayor Johnson second, adopted Resolution No. 2007-67 certifying the Negative Declaration and authorizing the City Manager to execute the following contracts for the White Slough Water Pollution Control Facility Phase 3 Improvements Project (for a total amount of \$17,543,774 for the contracts) and to adjust existing appropriations for a total project cost of \$20,600,000 (NOTE: The appropriation adjustments include closing completed engineering tasks and projects with no net increase in appropriations):

- Construction contract – Western Water Constructors, Inc., of Santa Rosa (\$16,387,000);
- Testing and inspection contract – Krazan & Associates, of Modesto (\$354,320);
- Environmental survey – LSA & Associates, of Rocklin (\$2,000); and
- Construction administration services contract – West Yost & Associates (\$800,454).

The above motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson

Noes: Council Members – None

Absent: Council Members – Mounce

C. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:31 a.m.

ATTEST:

Randi Johl  
City Clerk

**CITY OF LODI**  
**INFORMAL INFORMATIONAL MEETING**  
**"SHIRTSLEEVE" SESSION**  
**CARNEGIE FORUM, 305 WEST PINE STREET**  
**TUESDAY, APRIL 17, 2007**

**EXHIBIT D**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, April 17, 2007, commencing at 7:02 a.m.

**A. ROLL CALL**

Present: Council Members – Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – Hansen

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**B. TOPIC(S)**

B-1 "Update on Mobile Home Electric Rates"

PUBLIC COMMENTS:

- Jim Baum, owner of Shady Acres Mobile Home Park, requested the item be removed from the agenda to allow mobile home owners to review the material and costs associated with the same.

Mayor Pro Tempore Mounce stated that a representative of Casa de Lodi requested the meeting be continued until they have had an opportunity to review the documentation.

Council Member Hitchcock stated she views this as an informational only meeting and would prefer to continue with the background of the subject matter. Council Member Katzakian agreed.

City Manager King briefly introduced the subject matter of mobile home electric rates.

Electric Utility Director George Morrow provided a PowerPoint presentation (filed) regarding the mobile home park electric rates. Specific topics of discussion included background, park description, EM (Mobile Home Park Service) rate history, rates to mobile home tenants, EM language, EM rate application, "pad" discounts, EM versus EA (Residential Service) rate comparison, EM recommendation, and summary.

In response to Council Member Hitchcock, Mr. Morrow stated the mobile home park rate is 5% less because the rate was previously tabled; possibly due to equity considerations.

In response to Council Member Hitchcock, Mr. Morrow stated the mobile home rate payers do get to participate in discount rate programs.

In response to Council Member Hitchcock, Mr. Morrow stated a park owner provides information to tenants and staff analyzes billings and reduces the amounts accordingly if discounts apply.

In response to Council Member Hitchcock, Mr. Morrow stated some mobile home parks are being charged EA rates while others are being charged EM rates, as determined by a review of the billings.

City Attorney Schwabauer provided an overview of the intent and literal meaning of the ordinance language for the two rates.

In response to Council Member Hitchcock, Mr. Morrow stated staff can attempt to get additional historical information regarding whether there was an oversight when the previous market cost adjustment rate discussion occurred. Mayor Johnson stated he would prefer to

go from this point forward to determine a solution rather than focus on the history of the problem.

In response to Mayor Johnson, Mr. Morrow stated the two parks being charged the rate in question are Cherokee and Lodi.

In response to Mayor Johnson, Mr. Morrow stated staff will be bringing back to Council EM rate adjustments.

In response to Council Member Hitchcock, Mr. Morrow stated the \$200,000 would go directly to Electric Utility instead of the park owners. He also provided an overview of the mathematical equations associated with possible additional revenue.

In response to Mayor Pro Tempore Mounce, Mr. Morrow stated the 47% average increase does not apply to end users who already receive the discount.

City Manager King provided an overview of the schedule stating there is an action item on the April 18, 2007, Council meeting agenda setting a public hearing for May 2 to coincide with the budget timelines.

In response to Council Member Hitchcock, Mr. Baum stated he has some concerns with the numbers and facts of the presentation and is not prepared to go into details at this time.

In response to Mayor Johnson, Mr. Baum stated the May 2 date provides adequate time for him to review the material.

In response to Mayor Johnson, Mr. Morrow stated staff will touch base with the affected park owners regarding the schedule. City Attorney Schwabauer stated notice will be provided pursuant to law as required for all public hearings.

In response to Mayor Pro Tempore Mounce, Mr. Morrow stated the park owner at 1651 Cherokee Lane was provided a letter notice.

**C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

None

**D. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 7:38 a.m.

ATTEST:

Randi Johl  
City Clerk

**LODI CITY COUNCIL  
SPECIAL JOINT CITY COUNCIL MEETING  
WITH THE LODI ARTS COMMISSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, APRIL 17, 2007**

EXHIBIT E

The April 17, 2007, Special Joint City Council Meeting of the Lodi City Council and Lodi Arts Commission was canceled due to lack of a quorum; however, the subject PowerPoint presentation was given by representatives of the Lodi Arts Commission, a copy of which is on file in the City Clerk's Office.

ATTEST:

Jennifer M. Perrin  
Deputy City Clerk

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, APRIL 24, 2007**

The April 24, 2007, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Randi Johl  
City Clerk



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Approve specifications and authorize advertisement for bids to procure 15kV class indoor switchgear for the Killelea Substation Rehabilitation Project (EUD)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Electric Utility Director

**RECOMMENDED ACTION:** Approve the specifications and authorize the advertisement for bids to procure 15kV class indoor switchgear for the Killelea Substation Rehabilitation Project.

**BACKGROUND INFORMATION:** On May 3, 2006, the City Council: cancelled the Killelea Substation Reconstruction Project; approved the re-engineering and re-design of the scaled-back project by Power Engineers, Inc. (Power) of Hailey, ID; and authorized the negotiation for construction of the project with Rosendin Electric, Inc. (Rosendin) of San Jose, California.

The engineering services proposal for the Killelea Substation Rehabilitation Project by Power Engineers was approved by the City Council on October 18, 2006. The service agreement was executed on December 2006, and the project plans and specifications were completed by Power Engineers in March 2007.

In order to reduce overall cost of the Killelea rehabilitation project, Staff recommends a direct procurement of '15kV Class Indoor Switchgear' equipment. (Rosendin will provide labor for installation, wiring and testing).

Updated plans and specifications for the switchgear were developed by Power Engineers and are submitted for City Council approval. Once approved, bids will be solicited from four identified switchgear suppliers. The estimated cost will be \$635,000 (a \$100,000 savings from original estimate).

To realize these cost savings and since this is long-lead time equipment, staff recommends approval of specifications and authorization to advertise for bids the 15kV class indoor switchgear for the Killelea Substation Rehabilitation Project. The estimated project completion date is May 1, 2008.

**FISCAL IMPACT:** The project cost is about \$635,000.

**FUNDING AVAILABLE:** Bond proceeds are allocated in Account No. 1611082.

\_\_\_\_\_  
Kirk Evans, Budget Manager

\_\_\_\_\_  
George F. Morrow  
Electric Utility Director

**PREPARED BY:** Demy Bucaneg, Jr., P.E., Manager, Engineering & Operations

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager





## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Approve Request For Proposals for services to provide routing and siting evaluation, alternative and right-of-way analyses, issue identification, cost/benefit studies, and other related recommendations for a potential transmission line interconnection to White Slough Water Pollution Control Facility (EUD)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Electric Utility Director

**RECOMMENDED ACTION:** Approve request for proposals for services to provide routing and siting evaluation, alternative and right-of-way analyses, issue identification, cost/benefit studies, and other related recommendations for a potential transmission line interconnection to White Slough Water Pollution Control Facility.

**BACKGROUND INFORMATION:** Since 1988, Electric Utility Department (EUD) has conducted a number of engineering and transmission routing studies for a direct electrical interconnection to the West.

Staff proposes to update prior work related to a possible transmission interconnection to the West. This effort is especially timely given EUD's current involvement in a planned 255mw generating unit ("New Lodi Project") to be located at White Slough adjacent to the existing "Steam Injected Turbine" (STIG) generating unit. Preliminary review indicated that new transmission from White Slough to the EUD distribution system would provide significant cost and reliability benefits. The installation of the transmission line will be coordinated with the construction schedule of the new power plant presently scheduled for 2011.

The construction of new transmission lines entail activities requiring lengthy execution, adjustment, and repetitive negotiation and coordination in routing and siting activities caused by securing right-of-ways and easements. Therefore, staff is requesting City Council approval of the request for proposal for the stated transmission line services.

**FISCAL IMPACT:** Activity is proposed in EUD's fiscal year 2007/08 budget. The initial estimated cost is \$100,000. No funds will be expended prior to fiscal year 2008.

**FUNDING AVAILABLE:** Bond proceeds are allocated in Account No. 1611082.

\_\_\_\_\_  
Kirk Evans, Budget Manager

\_\_\_\_\_  
George F. Morrow  
Electric Utility Director

**PREPARED BY:** Demy Bucaneg, Jr., P.E., Manager, Engineering & Operations

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



## **CITY OF LODI COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Purchase fourteen ballistic helmets for the Lodi Police Department Special Weapons and Tactics (SWAT) team (\$5,810) (PD)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Jerry J. Adams, Chief of Police

---

**RECOMMENDED ACTION:** Authorize the purchase of fourteen (14) Delta Force Level IIIA ballistic helmets from Brandon Enterprises.

**BACKGROUND INFORMATION:** The Lodi Police Department S.W.A.T. is currently using ballistic helmets that were issued to the original team members twenty one years ago. The helmets are worn, ill-fitting, and are becoming a safety concern. A sample Delta Force Level IIIA helmet was examined and worn by team members the past few months. The helmets are currently being used by the United States military across the world.

**FISCAL IMPACT:** No fiscal impact to the City's operating budget.

**FUNDING AVAILABLE:** Funding in the amount of \$5,810 would be provided by the State COPS Grant, Account 235100.7718.

\_\_\_\_\_  
Kirk Evans, Budget Manager

\_\_\_\_\_  
Jerry J. Adams  
Chief of Police

JJA:sm  
Cc: City Attorney

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE PURCHASE OF FOURTEEN BALLISTIC  
HELMETS FOR THE LODI POLICE DEPARTMENT SPECIAL  
WEAPONS AND TACTICS TEAM

=====

WHEREAS, Lodi Municipal Code §3.20.070 authorizes dispensing with bids for purchases of supplies, services, or equipment when it is in the best interest of the City to do so; and

WHEREAS, the Lodi Police Department Special Weapons and Tactics (SWAT) Team is currently using ballistic helmets that have been utilized for the past twenty-one years, and have become a safety concern; and

WHEREAS, over the past few months staff has tested a sample helmet, the Delta Force Level IIIA, which is currently being used by the United States military; and

WHEREAS, staff recommends that the City Council authorize the purchase of fourteen (14) Delta Force Level IIIA ballistic helmets for the Lodi Police Department S.W.A.T. team utilizing State COPS Grant funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby approve the purchase of fourteen (14) Delta Force Level IIIA ballistic helmets for the Lodi Police Department S.W.A.T. team from Brandon Enterprises of El Paso, TX, in the total amount of \$5,810.00.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –  
NOES: COUNCIL MEMBERS –  
ABSENT: COUNCIL MEMBERS –  
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



## **CITY OF LODI COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Adopt Resolution Accepting Award from the Department of Homeland Security, for the Purchase of Radios for the Lodi Police Department's Special Weapons and Tactics Team (SWAT) and appropriate \$60,000 for purchase of radios.

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Jerry J. Adams, Chief of Police

---

**RECOMMENDED ACTION:** Adopt a resolution accepting the award of future reimbursement of \$60,000 from the Department of Homeland Security for the purchase of replacement radios for the SWAT team.

**BACKGROUND INFORMATION:** The radios used by Lodi's SWAT team are 15 years old. When analyzing emergency procedures after the 9/11 terrorist attack, the Department of Homeland Security found that many police radios did not have the capability of communicating with other emergency personnel. The outdated radios currently used by SWAT fall into this category. Due to the age of these radios, specialized conversion attachments are not available and replacement spare-parts are no longer made. To eliminate this safety issue, the Department of Homeland Security has funding available through reimbursement grants. The Lodi Police Department submitted a grant request, and has been awarded approval to purchase \$60,000 of radios, via sole source from Motorola.

If approved by City Council, Lodi PD will purchase Motorola radios for the SWAT team. The radios formerly used by SWAT will become "spare radios", to be issued temporarily when a radio is in for repairs and to be used by the Police Cadet's. The radios would only be utilized for functions which do not require specialized communication attachments or the ability to converse with multiple agencies.

**FISCAL IMPACT:** The City of Lodi will submit purchase documentation, along with an itemized invoice, reflecting the final cost, to the Department of Homeland Security for reimbursement. The timeframe between submittal for the reimbursement of funds is approximately 90 days. After reimbursement, there would be zero fiscal impact to the City's budget. Documentation is attached.

**FUNDING AVAILABLE:** Appropriate \$60,000 from the Public Safety Special Revenue Fund.

---

Kirk Evans, Budget Manager

---

Jerry J. Adams  
Chief of Police

Attachments

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



**COUNTY OF SAN JOAQUIN**  
**OFFICE OF EMERGENCY SERVICES**  
ROOM 610, COURTHOUSE  
222 EAST WEBER AVENUE  
STOCKTON, CA 95202  
TELEPHONE (209) 468-3962  
HAZARDOUS MATERIALS DIVISION (209) 468-3969

RONALD E. BALDWIN  
DIRECTOR OF  
EMERGENCY OPERATIONS

April 4, 2007

Chief Jerry Adams  
Lodi City Police Department  
215 W. Elm Street  
Lodi, CA 95240

Dear Chief Adams:

SUBJECT: FFY06 HOMELAND SECURITY GRANT APPROVED EQUIPMENT LIST

In line with the approved equipment list for the FFY 2006 Homeland Security Grant, the City of Lodi is authorized to purchase 15 Motorola portable radios for use with the Special Weapons and Tactics Team (SWAT) with a total budget of \$60,000. This budget cannot be exceeded, nor the quantity of radios procured changed, without prior written approval from the California Office of Homeland Security.

Your procurement department needs to comply with all Grant requirements including the requirement that purchase orders must be issued for all FY 2006 grant equipment no later than August 1, 2007. In addition, there is a requirement that the city document that purchasing staff verified that prospective vendors are not on the Federal Debarred/Suspended Vendor List. A separate memorandum concerning this requirement is enclosed.

In order to receive reimbursement, the City of Lodi must submit all purchase documentation for future audit purposes along with an itemized invoice reflecting the final cost to my office as soon as equipment is received. Your department had requested permission to make a sole source purchase of these items and the approval for this request from the Office of Homeland Security is also enclosed.

Please give me a call at 468-3968 if you have any questions on this correspondence.

Sincerely,

  
Ronald E. Baldwin  
Director of Emergency Operations

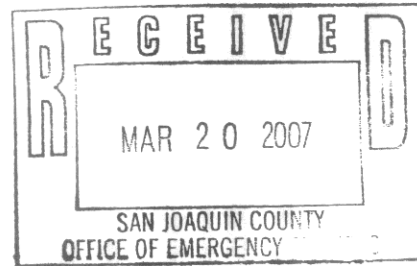
REB/hld  
Enclosures



## OFFICE OF HOMELAND SECURITY

March 2, 2006

Ron Baldwin, Director of Emergency Operations  
222 East Weber Avenue  
Courthouse, Room 610  
Stockton, CA 95202



Dear Mr. Baldwin:

SUBJECT: APPROVAL OF SOLE SOURCE CONTRACT REQUEST  
FY2006 Homeland Security Grant Program (HGSP) Grant #2006-0071,  
OES ID#077-00000

The Office of Homeland Security (OHS) has received, reviewed, and approved your Sole Source contract request dated February 26, 2007, based on the information you provided regarding the purchase of portable radios from Motorola.

If you have any questions about this letter, please contact your Program Representative, Susan Jensen, at 916-322-9336 or [susan.jensen@ohs.ca.gov](mailto:susan.jensen@ohs.ca.gov).

Thank you for your work in protecting California. We look forward to your continued collaboration towards our homeland security strategy and appreciate your cooperation and support.

Sincerely,

Kris M. Whitty  
Program Manager  
Grants Administration

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING AWARD OF  
FUTURE REIMBURSEMENT OF \$60,000 FROM DEPARTMENT OF  
HOMELAND SECURITY FOR PURCHASE OF RADIOS FOR SWAT TEAM;  
AND FURTHER AUTHORIZING THE APPROPRIATION OF FUNDS TO  
COVER THIS PURCHASE IN THE INTERIM

=====

WHEREAS, Lodi Municipal Code §3.20.070 authorizes dispensing with bids for purchases of supplies, services, or equipment when it is in the best interest of the City to do so; and

WHEREAS, the Lodi Police Department Special Weapons and Tactics (SWAT) Team is currently using radios that have been utilized for the past fifteen years; and

WHEREAS, following the 9/11 terrorist attack, the Department of Homeland Security analyzed emergency procedures and found that many police radios did not possess the capability of communicating with other emergency personnel; and

WHEREAS, the SWAT team's radios fall into this category, and due to the age of these radios, specialized conversion attachments are not available and replacement spare-parts are no longer made; and

WHEREAS, to eliminate this safety issue, the Department of Homeland Security has funding available through reimbursement grants, in which the Lodi Police Department has submitted a grant request and has been awarded approval to purchase \$60,000 of radios, via sole source from Motorola; and

WHEREAS, staff recommends that the City Council authorize acceptance of the award for future reimbursement of \$60,000 from the Department of Homeland Security for the purchase of radios for the Lodi Police Department S.W.A.T. team, and further approves appropriation of \$60,000 from the Public Safety Special Revenue Fund for the radio purchase in the interim.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize acceptance of the award for future reimbursement of \$60,000 from the Department of Homeland Security for the purchase of radios for the Lodi Police Department S.W.A.T. team, and further approves appropriation of \$60,000 from the Public Safety Special Revenue Fund for the radio purchase in the interim.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –  
NOES: COUNCIL MEMBERS –  
ABSENT: COUNCIL MEMBERS –  
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Awarding Contract for Elm Street Overlay 2007 to DSS Engineering Company, of Stockton (\$374,833)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt a resolution awarding the contract for the Elm Street Overlay 2007 project to DSS Engineering Company, of Stockton, in the amount of \$374,833.

**BACKGROUND INFORMATION:** This project consists of furnishing and installing approximately 3,368 tons of asphalt concrete, furnishing and installing pavement fabric, performing pavement and edge grinding, adjusting manhole and water valve frames to grade, furnishing and installing traffic detection loops, performing striping, furnishing and installing approximately 455 linear feet of 2-inch waterline (for the landscaped median irrigation system), and other incidental and related work, all as shown on the plans and specifications for the above project.

Plans and specifications for this project were approved on March 21, 2007. The City received the following four bids for this project on April 18, 2007.

Bidder	Location	Bid
Engineer's Estimate		\$ 510,000.00
DSS Engineering Company	Stockton	\$ 374,833.00
George Reed, Inc.	Lodi	\$ 374,846.00
Granite Construction	Stockton	\$ 409,985.00
AC General Engineering	Sacramento	\$ 445,906.20

**FISCAL IMPACT:** The project is anticipated to reduce pavement maintenance costs along the project corridor.

**FUNDING AVAILABLE:** Measure K Local Street Repair funds, included in Fiscal Year 06/07 budget

\_\_\_\_\_  
Kirk Evans, Budget Manager

\_\_\_\_\_  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Kevin Gaither, Senior Engineering Technician  
RCP/KG/pmf  
cc: City Attorney  
Purchasing Officer  
Streets and Drainage Manager

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
AWARDING THE CONTRACT FOR THE ELM  
STREET OVERLAY 2007

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on April 18, 2007, at 11:00 a.m., for the Elm Street Overlay 2007, described in the specifications therefore approved by the City Council on March 21, 2007; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Location	Bid
Engineer's Estimate		\$510,000.00
DSS Engineering Company	Stockton	\$374,833.00
George Reed, Inc.	Lodi	\$374,846.00
Granite Construction	Stockton	\$409,985.00
AC General Engineering	Sacramento	\$445,906.20

WHEREAS, staff recommends award of the contract to DSS Engineering Company, of Stockton, California, in the amount of \$374,833.00.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby awards the contract for the Elm Street Overlay 2007, to DSS Engineering Company, of Stockton, California, in the amount of \$374,833.00.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt resolution approving the agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for use of pools at Twin Arbor Athletic Club facilities that will serve the Summer Swim League program which will run for the period May 29, 2007, to July 26, 2007 (PR)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Parks and Recreation Director

---

**RECOMMENDED ACTION:** Adopt the attached resolution approving the agreement between the City of Lodi and Spare Time, Inc. for use of pools at Twin Arbor Athletic Club facilities that will serve the Summer Swim League program which will run for the period May 29, 2007, to July 26, 2007.

**BACKGROUND INFORMATION:** The Parks and Recreation Department currently provides a summer swim league program to over 500 children. This program continues to grow. However, due to the lack of adequate facilities and fiscal constraints to build new ones, it has been difficult to expand and meet the needs of our existing program.

As a way of accommodating our facility needs, staff has over the years partnered with Twin Arbor Athletic Club ("TAAC") to gain access to its pools. In exchange, TAAC has been allowed to organize its own team and participate in the City-sponsored Summer Swim League. The benefits of the public/private partnership have been twofold: (1) It has provided the City use of aquatics facilities that it does not currently have; and, (2) It has created another program offering for TAAC which has resulted in the expansion of the Summer Swim League to a sixth team and the addition of approximately 100+ swimmers to the City-sponsored program.

Staff recommends approval of the agreement, which will enable the swimming pools at TAAC to be used for swim meets and allow for a team comprised of TAAC members to participate in the league. Meets will be held on select Friday nights from June through July 2007.

**FISCAL IMPACT:** The use of three (3) pools (TAAC, Tokay High School, and Blakely Pool) will enhance scheduling efficiency, allow for Friday night versus Saturday meets, and thus save operations and maintenance costs at Blakely Pool.

---

APPROVED: \_\_\_\_\_  
Blair King, City Manager

*Adopt resolution approving the agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for use of pools at Twin Arbor Athletic Club facilities that will serve the Summer Swim League program which will run for the period May 29, 2007, to July 26, 2007 (PR)*  
May 2, 2007  
Page 2

**FUNDING:** None

---

Tony C. Goehring  
Parks and Recreation Director

Attachments

cc: City Attorney

Memorandum of Understanding  
(Summer Swim League)

THIS Memorandum of Understanding (“Agreement”) is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2007, by Spare Time Incorporated d.b.a. Twin Arbor Athletic Club, (“TAAC”) and THE CITY OF LODI, acting by and through its Parks and Recreation Department (“City”).

Background

A. City operates an eight-week summer swim league at the City owned Enze Pool, Lodi High School Pool and Tokay High School Pool. Currently, the City has five teams, each comprised of over 100 participants, TAAC also operates swimming programs at its privately owned pool facilities at 2040 W. Cochran Rd, Lodi, and 1900 S Hutchins Rd, Lodi.

B. TAAC desires to organize a team to participate in the summer swim league again. City is willing to permit TAAC to do so on a trial basis. However, in order to accommodate the sixth team, City requires the use of one or both of TAAC’s pool facilities.

C. Accordingly, the parties enter into this Agreement on the terms and conditions set forth below.

Agreement

In consideration of their mutual covenants, the Parties agree as follows:

1. Participation. TAAC and City agree that TAAC will establish an additional team named the “Dolphins” comprised of the members of its club to participate in the City’s summer swim league.

2. Administration. Generally, the Dolphins team and its members will be treated identically to the City teams, and the Dolphins will practice at TAAC’s facilities. Dolphins team members will register with and pay the City’s Parks and Recreation program fees. City will pay the Dolphins coach the same stipend paid to the City coaches. City shall have the right to oversee and supervise the Dolphin’s coach and program, including all appropriate background checks of Dolphin’s staff (whether paid or volunteer) and monitoring practices and swim meets to ensure compliance with all applicable laws, regulations, and City standards. TAAC shall cooperate with City’s efforts to perform background checks and monitoring.

3. Fees/Recruiting Prohibited. No fees, other than those referred to in paragraph 2 of this Agreement and TAAC’s standard membership fee, shall be charged to any Dolphin team member. Members must be an active member of TAAC as of May 1<sup>st</sup> of the current year. However, TAAC like other teams may accept donations and have fundraisers to solicit sponsorships. TAAC shall not engage in any efforts to recruit memberships during swim meets. TAAC shall not recruit members of City teams and TAAC members who wish to retain their affiliation with a City team must not be pressured to join the TAAC team. However, TAAC will

be permitted to inform its members that it is establishing a team to compete in the City's summer swim league and that TAAC members may join TAAC's team by signing up through the City's Parks and Recreation Department subject to being an active member of TAAC as of May 1<sup>st</sup> of the current year.

4. Use of Facilities. During the term of this Agreement, TAAC agrees to allow the use of its facilities, including but not limited to the showers, dressing areas, bathrooms, and spectator areas for Dolphins practice and for swim meets between any teams in the summer swim league from 5:30 p.m. to 7:30 p.m. Monday through Thursday. No fees shall be charged to (1) the City for use TAAC's facilities; or (2) any child or spectator for any purpose, including but not limited to entry fees, or shower fees, during the swim meets. TAAC shall have the right to designate which of its Lodi pool facilities will be used for practices on whatever notice it deems appropriate and shall also have the right to designate which of its Lodi pool facilities will be used for swim meets on at least 30 days written notice to City, as long as practices are consistent with above times. The meets held at TAAC pools will involve the Dolphins and a City team. At no time will two City teams use TAAC pool for swim meets. Swim meets will be held on the following Friday evenings from 4:30 p.m. to 8:30 p.m. at the TAAC pool: June 8, 15, 22, 29 and July 13, 2007.

5. Term. The term of this Agreement shall be from May 29, 2007, to July 26, 2007, unless otherwise terminated as provided herein.

6. Maintenance. TAAC shall, at its own expense, maintain its Lodi premises and pool facilities and any buildings and or equipment on or attached to the premises in a safe condition, in good repair and in a manner suitable to City. City shall be entitled to inspect TAAC's pool facilities upon demand to ensure compliance with this paragraph.

7. Utilities. TAAC shall provide utility service to the premises at its sole cost and expense.

8. Attorney Fees. In any action between the parties arising out of or related to this contract, the prevailing party shall be entitled to all expenses incurred therefor, including reasonable attorney fees.

9. Optional Termination. Either party may terminate this Agreement in writing upon at least 48 hours prior written notice. In the event of an early termination, the City, in its sole discretion, will determine which one of the following options to give to the entire Dolphins team:

- a. Join another of the teams in the City's summer swim league;
- b. Continue on the Dolphins team for the remainder of the season with a coach to be supplied by the City without the use of the TAAC facilities; or
- c. Terminate their participation in the league and receive a pro-rated refund of the fees paid to the Parks and Recreation Department.

10. Indemnity and Insurance.

a. Indemnification by City: Except to the extent caused by the negligence or intentional misconduct of TAAC or of any agent, servant or employee of TAAC, City ("Indemnitor")

shall, at its sole cost and expense, indemnify and hold harmless TAAC and all associated, affiliated, allied and subsidiary entities of TAAC, now existing or hereinafter created, and their respective officers, boards, employees, agents, attorneys, and contractors (hereinafter referred to as "Indemnitees"), from and against:

i. Any and all liability, obligation, damages, penalties, claims, liens, costs, charges, losses and expenses (including, without limitation, reasonable fees and expenses of attorneys, expert witnesses and consultants), which may be imposed upon, incurred by or be asserted against the Indemnitees by reason of any act or omission of City, its personnel, employees, agents, contractors or subcontractors on the Premises, resulting in personal injury, bodily injury, sickness, disease or death to any person or damage to, loss of or destruction of tangible or intangible property, or any other right of any person, firm or corporation, to the extent arising out of or resulting from the operation and/or maintenance of the summer swim league or City's failure to comply with any applicable federal, state or local statute, ordinance or regulation.

b. Indemnification by TAAC: Except to the extent caused by the negligence or intentional misconduct of City or of any agent, servant or employee of City, TAAC ("Indemnitor") shall, at its sole cost and expense, indemnify and hold harmless City and all associated, affiliated, allied and subsidiary entities of City, now existing or hereinafter created, and their respective officers, boards, commissions, employees, agents, attorneys, and contractors (hereinafter referred to as "Indemnitees"), from and against:

i. Any and all liability, obligation, damages, penalties, claims, liens, costs, charges, losses and expenses (including, without limitation, reasonable fees and expenses of attorneys, expert witnesses and consultants), which may be imposed upon, incurred by or be asserted against the Indemnitees by reason of any act or omission of TAAC, its personnel, employees, agents, contractors or subcontractors on the Premises, resulting in personal injury, bodily injury, sickness, disease or death to any person or damage to, loss of or destruction of tangible or intangible property, or any other right of any person, firm or corporation.

c. Defense of Indemnitees: In the event any action or proceeding shall be brought against the Indemnitees by reason of any matter for which the Indemnitees are indemnified hereunder, Indemnitor shall, upon reasonable prior written notice from any of the Indemnitees, at Indemnitor's sole cost and expense, resist and defend the same with legal counsel mutually selected by the parties; provided however, that the parties must not admit liability in any such matter without written consent, which consent must not be unreasonably withheld, conditioned or delayed, nor enter into any compromise or settlement of, any claim for which they are indemnified hereunder, without prior written consent. The indemnifying party's duty to defend shall begin upon receipt of a written notice identifying with specificity the allegations that give rise to this duty to defend and shall be co-extensive with the indemnifying party's indemnification obligation.

d. Notice, Cooperation and Expenses: Each party must give the other prompt written notice of the making of any claim or the commencement of any action, suit or other proceeding covered by the provisions of this paragraph. Nothing herein shall be deemed to

prevent either party from cooperating with the other and participating in the defense of any litigation by its own counsel. However, Indemnitor shall pay all reasonable expenses incurred by Indemnitees in response to any such actions, suits or proceedings. These expenses shall include all reasonable out-of-pocket expenses such as reasonable attorney fees and shall also include the reasonable value of any services rendered by Indemnitees' attorney, and the actual reasonable expenses of Indemnitees' agents, employees or expert witnesses, and disbursements and liabilities assumed by Indemnitees in connection with such suits, actions-or proceedings but shall not include attorneys' fees for services that are unnecessarily duplicative of services provided Indemnitees by Indemnitor.

If Indemnitor requests Indemnitee to assist it in such defense, then Indemnitor shall pay all reasonable expenses incurred by Indemnitee in response thereto, including defending itself with regard to any such actions, suits or proceedings. These expenses shall include all reasonable out-of-pocket expenses such as attorney fees and shall also include the reasonable costs of any services rendered by Indemnitee's attorney, and the actual reasonable expenses of Indemnitee's agents, employees or expert witnesses, and disbursements and liabilities assumed by Indemnitee in connection with such suits, actions or proceedings.

e. Insurance: During the term of the Agreement, both parties must maintain, or cause to be maintained, in full force and effect and at their sole cost and expense, the following types and limits of insurance:

i. Worker's compensation insurance meeting applicable statutory requirements and employer's liability insurance with minimum limits of One Hundred Thousand Dollars (\$100,000.00) for each accident.

iii. Comprehensive commercial general liability insurance with minimum limits of One Million Dollars (\$1,000,000.00) as the combined single limit for each occurrence of bodily injury, personal injury and property damage.

iv. All policies other than those for Worker's Compensation shall be written on an occurrence and not on a "claims made" basis.

v. The coverage amounts set forth above may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated.

f. Named Insureds: All policies, except for workers compensation policies, shall name City and all of its associated, affiliated, allied and subsidiary entities, now existing or hereafter created, and its respective officers, boards, commissions, employees, agents and contractors, as their respective interests may appear as additional insureds (herein referred to as the "Additional Insureds"). Each policy which is to be endorsed to add Additional Insureds hereunder, shall contain cross-liability wording, as follows:

"In the event of a claim being made hereunder by one insured for which another insured is or may be liable, then this policy shall cover such insured against whom a claim is or may be made in the

same manner as if separate policies had been issued to each insured hereunder.”

g. Evidence of Insurance: TAAC shall file certificates of insurance for each insurance policy required to be obtained in compliance with this paragraph, along with written evidence of payment of required premiums with the City annually during the term of the Agreement. City shall immediately advise TAAC in writing of any claim or litigation that may result in liability to TAAC. TAAC shall immediately advise City in writing of any claim or litigation that may result in liability to City.

h. Cancellation of Policies of Insurance: TAAC’s insurance policies maintained pursuant to this Agreement shall contain the following endorsement:

“At least sixty (60) days prior written notice shall be given to the City of Lodi by the insurer of any intention not to renew such policy or to cancel, replace or materially alter same, such notice to be given by registered mail to the parties named in this paragraph of the Agreement.”

I . Self-Insurance: The City’s insurance requirements set forth herein may be satisfied by a self insurance program that complies with all laws and regulations governing self insurance.

13. Notices. Except as otherwise provided for in this Agreement to the contrary, all notices, demands and other communications required or contemplated to be given under this Agreement shall be in writing and shall be delivered either by (i) postage prepaid, Returned Receipt Requested, Registered or Certified Mail, (ii) local or air courier messenger service, (iii) personal delivery, or (iv) facsimile addressed to the party or parties for whom intended at the address shown below or such other address as the intended recipient previously shall have designated by written notice from time to time (provided, however, notice of a change of address or facsimile number shall be effective only upon receipt):

If to City, to:	City of Lodi Parks & Recreation Dept. P. O. Box 3006 221 W. Pine Street Lodi CA 94240 Fax # (209) 333-0162 Attn: Tony Goehring
-----------------	---

If to TAAC, to:	Twin Arbors Athletic Club 1900 S Hutchins Street Lodi CA 95242 Phone # (209) 334-4897 Attn: Dennis Kauffman
-----------------	---

14. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors, personal representatives and assigns.



15. Non-Waiver. Failure of either party to insist on strict performance of any of the conditions, covenants, terms or provisions of this Agreement or to exercise any of its rights hereunder shall not waive such rights, but either party shall have the right to enforce such rights at any time and take such action as might be lawful or authorized hereunder, either in law or equity.

16. Miscellaneous.

a. TAAC and City represent that each, respectively, has full right, power, and authority to execute this Agreement.

b. This Agreement constitutes the entire agreement and understanding of the parties and supersedes all offers, negotiations, and other agreements of any kind. There are no representations or understandings of any kind not set forth herein. Any modification of or amendment to this Agreement must be in writing and executed by both parties.

c. This Agreement shall be construed in accordance with the laws of the State of California.

This Agreement was executed as of the date first set forth above and effective as of the date set forth in introduction above.

---

Blair King  
City Manager

---

Dennis Kauffman  
General Manager

Attest:

---

Randi Johl  
City Clerk

Dated: \_\_\_\_\_

Approved as to Form:

---

D. Stephen Schwabauer  
City Attorney

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING  
AGREEMENT BETWEEN THE CITY OF LODI AND SPARE TIME,  
INC., dba TWIN ARBOR ATHLETIC CLUB, FOR USE OF POOLS  
AT TWIN ARBOR ATHLETIC CLUB FACILITIES

=====

WHEREAS, the Parks and Recreation Department currently provides a summer swim league program to over 500 children; and

WHEREAS, this program continues to grow, with no additional facilities available to expand the program; and

WHEREAS, over the years, City staff has partnered with Twin Arbor Athletic Club to gain access to its pools in order to expand the program; and

WHEREAS, the benefits of the public/private partnership have been twofold: 1) it has provided the City use of aquatics facilities that it does not currently have; and 2) it has created another program offering for Twin Arbors Athletic Club, which has resulted in the expansion of the Summer Swim League to a sixth team and the addition of 100+ swimmers to the City-sponsored program; and

WHEREAS, staff therefore recommends that the City Council approve the agreement, which would allow the swimming pools at Twin Arbor Athletic Club to be used for swim meets and allow a team comprised of Twin Arbor members to participate in the league.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the agreement between the City of Lodi and Spare Time, Inc., dba Twin Arbor Athletic Club, for use of pools at Twin Arbor Athletic Club facilities for the period May 29, 2007 to July 26, 2007.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the Lodi City Council in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to a Execute Professional Services Agreement with Wenell Mattheis Bowe for Finance Department Relocation (\$82,000)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt a resolution authorizing the City Manager to execute a professional services agreement with Wenell Mattheis Bowe (WMB) for Finance Department Relocation (\$82,000).

**BACKGROUND INFORMATION:** The City of Lodi requested Qualification Statements for the planning and design of tenant improvements to convert the existing County Court No. 1 to use by the City Finance Department. The facility is located at 230 West Elm Street in Lodi. The facility is approximately 6,000 square feet. The space will include offices, public lobby, public counters, ADA access, ADA staff bathroom facilities, and associated staff support areas. There are currently 23 staff members in the Finance Department. Other items included in the project are:

- 1) New roof-mounted HVAC equipment
- 2) New single-ply roof
- 3) New carpet and paint throughout – Some areas may be omitted based on budget and area use findings.
- 4) Existing Finance Department office furniture will be relocated.

The request for Qualification Statements was sent to seven architectural firms. Staff received three proposals for the above noted work:

Derivi Construction & Architecture of Stockton (DCA)  
Lionakis Beaumont Design Group of Sacramento (LBDG)  
Wenell Mattheis Bowe of Stockton (WMB)

In accordance with City purchasing ordinance section 3.20.075 Professional/Technical Services Contracts, "Such contracts shall be awarded on the basis of professional qualifications and experience, quality of service, past performance and negotiated prices". The following staff members reviewed the proposals: City Engineer, Transit Manager, Water Services Manager, Streets and Drainage Manager, and Budget Manager. All five staff members ranked the proposals in the same order, with WMB being ranked first. Staff is recommending awarding the agreement to WMB based on our evaluation criteria which included demonstrated ability to perform the services in a timely manner and past performance on City projects. The negotiated price for services include architectural, electrical and mechanical design services through the bidding process, reimbursable expenses and a \$5,000 allowance for structural design services. The design process is to be fast-tracked for completion and bidding in six months.

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

**FISCAL IMPACT:** When this project is completed, it will no longer be necessary for the City to lease space for the Finance Department. It is anticipated that the project can be funded via lease payment savings. The design services costs include the architects' and their sub-consultants' fees and allowances for printing and other reimbursable costs.

**FUNDING AVAILABLE:** General Fund – Capital \$82,000

---

Kirk Evans, Budget Manager

---

Richard C. Prima, Jr.  
Public Works Director

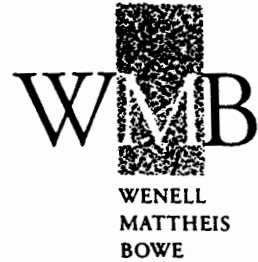
Prepared by Gary Wiman, Construction Project Manager

RCP/GW/pmf

cc: Purchasing Officer  
Budget Manager  
Financial Services Manager  
Construction Project Manager

CITY OF LODI  
PUBLIC WORKS DEPARTMENT  
APR 23 2007

RECEIVED



April 23, 2007

Gary Wiman, Project Manager  
City of Lodi  
P.O. Box 3006  
Lodi CA 96241-1910

SUBJECT: PROPOSAL OF SERVICES  
CITY OF LODI EXISTING COURTS FACILITY REMODEL  
INTO FINANCE DEPARTMENT OFFICES

Dear Gary,

We are pleased to submit the following proposal to provide architectural / engineering services to design and provide construction documents for the remodel of the existing 6,600 sf Courts Facility into Finance Department offices.

The construction budget is estimated by the City to be \$750,000. Construction administration services are not included in this proposal, but can be provided as an additional service if requested on a time plus materials based fee. In addition we have included an allowance for structural engineering evaluation if deemed required by the building official.

The fee for this work is as follows:

Schematic Design	\$11,250
Design Development	\$18,750
Construction Documents	\$37,500
Permitting / Bidding	\$7,500
<b>SUBTOTAL - FIXED FEE</b>	<b>\$75,000</b>
Structural Engineering allowance	\$5,000
Estimated reimbursable expenses	\$2,000
<b>TOTAL FEE</b>	<b>\$82,000</b>

Reimbursable expenses cover in-office and review printing only; it does not include printing expenses for permitting, bidding and construction purposes.

ARCHITECTURE

PLANNING

INTERIORS

Larry Wenell

Tim Mattheis

Thomas Bowe

Architects

246

E. Main Street

Stockton,

California

95202

PHONE:

209/944-9110

FAX:

209/944-5711

info@wmbarchitects.com

www.wmbarchitects.com

Gary Wiman  
CITY OF LODI  
Proposal of Services  
Remodel of existing courts facility into Finance Dept. Offices  
April 23, 2007  
Page 2

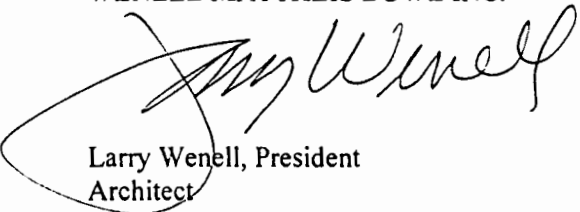
Our proposed schedule is as follows:

Schematic Design	4 weeks
Design Development	6 weeks
Construction Documents	8 weeks
Permit/Bidding	<u>2 weeks</u>
Total	20 weeks plus City review time

We look forward to working with you on this project.

Sincerely,

WENELL MATTHEIS BOWE INC.



Larry Wenell, President  
Architect

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE  
CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES  
AGREEMENT WITH WENELL MATTHEIS AND BOWE FOR THE  
FINANCE DEPARTMENT RELOCATION

=====

WHEREAS, pursuant to Lodi Municipal Code Section 3.20.075, professional/technical services contracts can be awarded on the basis of professional qualifications and experience, quality of service, past performance, and negotiated prices; and

WHEREAS, staff recommends awarding the Professional Services Agreement to Wenell Mattheis and Bowe, based on the evaluation criteria which included demonstrated ability to perform the services in a timely manner, past performance on City projects, and the negotiated price for services.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute a professional services agreement with Wenell Mattheis and Bowe for the Finance Department Relocation in an amount not to exceed \$82,000.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the Lodi City Council in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Approve Letters to State Water Resources Control Board in Support of Mokelumne River Water Rights Applications

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Approve letters to the State Water Resources Control Board in support of Mokelumne River water rights applications for North San Joaquin Water Conservation District (NSJWCD) and San Joaquin County.

**BACKGROUND INFORMATION:** The State Water Resources Control Board has recently taken a number of actions that are detrimental to long-term water supply and groundwater basin management. Specifically, they have denied NSJWCD's request to renew their Mokelumne River permit for 20,000 acre feet and have canceled the San Joaquin County (acting as the Mokelumne River Water and Power Authority) application for up to 544,000 acre feet for the Mokelumne River Regional Water Storage and Conjunctive Use Project (the MORE water project).

The NSJWCD water was only available in normal and wet years but was unreliable, leading many users in the District to switch to groundwater. Thus, the District has not utilized this full amount. The District has been making plans to utilize the water for groundwater recharge but is stymied by denial of their renewal application.

The MORE water project has recently been gaining momentum, after a slow start. The County, in cooperation with other water entities, including Lodi, has been working, with active State involvement, on an Integrated Regional Water Management Plan that incorporates the MORE project. This plan is required in order to obtain various State grants for the project and needs an Environmental Impact Report, which is underway.

Staff supports efforts to reverse these two decisions and, if approved, would draft letters for the Mayor's signature that would be coordinated with letters from other agencies.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

\_\_\_\_\_  
Richard C. Prima, Jr.  
Public Works Director

RCP/pmf

cc: Mel Lytle, San Joaquin County Water Resources Coordinator  
Ed Steffani, Executive Director, North San Joaquin Water Conservation District

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager





## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for May 16, 2007 to introduce ordinance amending Chapter 13.20, "Electrical Service," by amending Section 13.20.210 Schedule EM (Mobile Home Park Service) to become effective July 1, 2007 (EUD)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Electric Utility Director

**RECOMMENDED ACTION:** Set a public hearing for May 16, 2007 to consider changes to Chapter 13.20, "Electrical Service," by amending Section 13.20.210 Schedule EM (Mobile Home Park Service) to become effective July 1, 2007.

**BACKGROUND INFORMATION:** At its meeting of February 15, 2006, the City Council held a public hearing to "true up" electric rates for all customer classes. During the presentation, it was noted that the rates being charged mobile home residents were substantially lower than those of customers residing in other types of residential homes. This rate disparity appears to be the result of staff misunderstanding the direction received during rate discussions at Council meetings in late 2005.

At that time, staff recommended a Market Cost Adjustment (MCA) for Mobile Home Park Service (EM Schedule) of \$.0698. Council was not comfortable with what could be as much as an 80% increase for Schedule EM (which had been exempt from the MCA prior to this time), and the MCA for EM was set at \$.0071. In addition, mobile home park owners remained on the "old" two-tier EM Schedule at a total electric rate significantly lower (10.7¢/kWh vs. 15.7¢/kWh) than the Residential Service (EA Schedule) rates. Prior to the rate adjustments approved in December 2005, rates for mobile home park owners were within approximately 5% of the rates for other residential customers.

There are six mobile home parks, with a total of 499 pads being served by Lodi Electric Utility. Mobile home park owners (master-metered) are billed on the EM rate schedule, they then bill their sub-metered tenants on the applicable rate schedule (EA, Residential SHARE Service ED) and apply any entitled discounts. Residents of mobile home parks are eligible for the same rates and discounts as "traditional" residential customers.

In checking with the six parks in Lodi, staff found there is some variability in the rates charged by the mobile home park rate structure. We found that four parks (414 pads) are charging their tenants at the EA residential rate (about 5¢ per kilowatthour over the EM rate. The other two parks (76 pads) are using the EM (mobile home park) rate schedule to bill their tenants.

Currently, Mobile Home Park Service (EM) includes a discount of \$8.13 per month for each occupied mobile home park unit wired for service. This discount provides recovery by mobile home park owners for their costs of owning, operating and maintaining their electric sub metered system. Other energy

APPROVED: \_\_\_\_\_  
Blair King, City Manager

providers within our area that offer a mobile home park service rate allow park owners a discount of \$0.37925 per day or approximately \$11.38/month per occupied unit.

Implementation of the proposed EM schedule will result in the park owner paying the same rate as they bill their residents (less the pad discount). In the four parks that are currently using Schedules EA and ED for billing, the end-use customer will see no change. In the two parks which have been billing using Schedule EM, the owner and the end-use customer will see a price increase of about 45 percent.

The proposed Schedule EM incorporates the following:

- the mobile home rate structure (Schedule EM) includes the same five-tier structure and rate level as other residential services (Schedule EA and ED);
- park owners on the EM rate would pass along all applicable rate discounts (including SHARE, Medical Rider, Combined Medical Rider and SHARE, and Fixed Income Discount); and
- the discount to mobile home park owners would be aligned with that of other energy providers in our area, increasing from \$8.13 per occupied pad per month to \$11.38 per month per occupied pad.

The rate being recommended would replicate the five-tier schedule adopted for all other residential users. Attached are the proposed EM Schedule, the current EM Schedule and the current EA Schedule for information.

**FISCAL IMPACT:** The impact of changing from the current EM Schedule to the proposed five-tier EM Schedule is estimated to result in additional revenue of approximately \$150-200 thousand per year.

**FUNDING:** Not Applicable.

---

George F. Morrow  
Electric Utility Director

Prepared By: Sondra Huff, Senior Rate Analyst

GFM/SH/Ist

Attachments (3)



# CITY OF LODI

## ELECTRIC UTILITY DEPARTMENT

### SCHEDULE EM

#### MOBILE HOME PARK SERVICE

#### **APPLICABILITY:**

This schedule is applicable to service supplied to mobile home parks through one meter and sub-metered to all individual mobile home units.

#### **RATES:**

Minimum Charge.....\$5.00

#### **Energy Charge is by Tier of kWh usage:**

	<b><u>Tier 1</u></b> (Baseline)	<b><u>Tier 2</u></b> (101-130% of baseline)	<b><u>Tier 3</u></b> 131-200% of baseline)	<b><u>Tier 4</u></b> (201-300% of baseline)	<b><u>Tier 5</u></b> (Over 300% of baseline)
\$/kWh	\$0.1420	\$0.1450	\$0.2235	\$0.3180	\$0.3300

#### **Summer (May through October) Energy Tiers**

	<b><u>Tier 1</u></b> (Baseline)	<b><u>Tier 2</u></b> (101-130% of baseline)	<b><u>Tier 3</u></b> 131-200% of baseline)	<b><u>Tier 4</u></b> (201-300% of baseline)	<b><u>Tier 5</u></b> (Over 300% of baseline)
Beginning Tier kWh/month	0	482	626	963	>1,443
Ending Tier kWh/month	481	625	962	1,443	

#### **Winter (November through April) Energy Tiers**

	<b><u>Tier 1</u></b> (Baseline)	<b><u>Tier 2</u></b> (101-130% of baseline)	<b><u>Tier 3</u></b> 131-200% of baseline)	<b><u>Tier 4</u></b> (201-300% of baseline)	<b><u>Tier 5</u></b> (Over 300% of baseline)
Beginning Tier kWh/month	0	392	509	783	>1,173
Ending Tier kWh/month	391	508	782	1,173	

#### **DISCOUNT:**

Per number of occupied mobile home park units wired for service ..... \$ 11.38

SCHEDULE EM  
MOBILE HOME PARK SERVICE

---

**MARKET COST ADJUSTMENT (MCA):**

A market cost adjustment may be included in each bill for service. The adjustment shall be the product of the total kilowatt-hours (kWh) for which the bill is rendered times the adjustment amount per kWh. The adjustment amount per kWh will reflect amounts charged the City of Lodi by various suppliers of bulk power not covered in the above rates.

**BILLING CYCLE CHARGE (MONTHLY BILL):**

The Billing Cycle Charge is the higher of the Minimum Charge or the sum of the Customer Charge, Energy Charge, Discount and MCA.

**SPECIAL CONDITIONS:**

- (a) This rate is available only for mobile home park master metering in service prior to March 31, 1989.
- (b) It is the responsibility of the master-metered customer to notify the City Finance Department within 15 days following any change in the number of occupied mobile home park units wired for service.
- (c) Miscellaneous electric loads such as general lighting, laundry rooms, general maintenance, and other similar use incidental to the operation of the premises as a multi-family accommodation will be considered domestic use.
- (d) To qualify for Single Household Alternative Rate for Energy (SHARE) the sub-metered tenants of the master-metered City of Lodi Customer will submit an application, including the tenant's unit number, to the City of Lodi Finance Department. The City of Lodi Finance Department will notify the master-metered Customer of the tenant's certification.
- (e) Certification will be required to determine income eligibility for the SHARE program. Sub-metered tenants of the master metered City of Lodi Customer must sign a statement upon application indicating that the City of Lodi may verify the sub-metered tenant's eligibility at any time. The master-metered Customer, not the City of Lodi, is responsible for extending the SHARE program to tenants certified to receive them. If verification establishes that the SHARE tenant is ineligible, the tenant will be removed from the master-metered Customer's qualified tenants and the City of Lodi may render corrective billings.
- (f) An additional medical discount is available as described in Schedule MR, Residential Medical Rider.
- (g) The master-metered Customer shall not bill any sub-metered tenant more than that tenant would be billed if that tenant were an individual customer of the City of Lodi. For a qualifying

## SCHEDULE EM

### MOBILE HOME PARK SERVICE

---

SHARE tenant, the master-metered Customer shall bill the qualifying tenant at the applicable rates equivalent to Schedule ED, Residential SHARE Program Service. A non-qualifying tenant shall be billed at the applicable rates equivalent to Schedule EA, Residential Service.

- (h) The master-meter/sub-meter rate discount provided herein prohibits further recovery by mobile home park owners for the costs of owning, operating and maintaining their electric sub-metered system.

#### **FIXED INCOME DISCOUNT:**

For those customers who are on fixed incomes below \$45,000 annually and who are over 62 years of age, and do not qualify for any other discount, a discount of 5% shall apply to the electric bill. Procedures as to qualification will be established by the Electric Utility Department.



# CITY OF LODI

## ELECTRIC UTILITY DEPARTMENT

### SCHEDULE EM

#### MOBILE HOME PARK SERVICE

#### **APPLICABILITY:**

This schedule is applicable to service supplied to mobile home parks through one meter and sub-metered to all individual mobile home units.

#### **RATES:**

Customer Charge.....	\$ 4.87
Energy Charge:	
Summer (May 1 through October 31)	
First 440 kWh, per kWh .....	.10197
Over 440 kWh, per kWh.....	.14025
Winter (November 1 through April 30)	
First 400 kWh, per kWh .....	.10197
Over 400 kWh, per kWh.....	.14025
MINIMUM CHARGE:	
All kWh, per kWh .....	.05000

#### **DISCOUNT:**

Per number of occupied mobile home park units wired for service .....	\$ 8.13
---	---------

#### **MARKET COST ADJUSTMENT (MCA):**

A market cost adjustment may be included in each bill for service. The adjustment shall be the product of the total kilowatt-hours (kWh) for which the bill is rendered times the adjustment amount per kWh. The adjustment amount per kWh will reflect amounts charged the City of Lodi by various suppliers of bulk power not covered in the above rates.

SCHEDULE EM  
MOBILE HOME PARK SERVICE

---

**BILLING CYCLE CHARGE (MONTHLY BILL):**

The Billing Cycle Charge is the higher of the Minimum Charge or the sum of the Customer Charge, Energy Charge, Discount and MCA.

**SPECIAL CONDITIONS:**

- (a) This rate is available only for mobile home park master metering in service prior to March 31, 1989.
- (b) It is the responsibility of the master-metered customer to notify the City Finance Department within 15 days following any change in the number of occupied mobile home park units wired for service.
- (c) Miscellaneous electric loads such as general lighting, laundry rooms, general maintenance, and other similar use incidental to the operation of the premises as a multi-family accommodation will be considered domestic use.
- (d) To qualify for Single Household Alternative Rate for Energy (SHARE) the sub-metered tenants of the master-metered City of Lodi Customer will submit an application, including the tenant's unit number, to the City of Lodi Finance Department. The City of Lodi Finance Department will notify the master-metered Customer of the tenant's certification.
- (e) Certification will be required to determine income eligibility for the SHARE program. Sub-metered tenants of the master metered City of Lodi Customer must sign a statement upon application indicating that the City of Lodi may verify the sub-metered tenant's eligibility at any time. The master-metered Customer, not the City of Lodi, is responsible for extending the SHARE program to tenants certified to receive them. If verification establishes that the SHARE tenant is ineligible, the tenant will be removed from the master-metered Customer's qualified tenants and the City of Lodi may render corrective billings.
- (f) The master-metered Customer shall not bill any sub-metered tenant more than that tenant would be billed if that tenant were an individual customer of the City of Lodi. For a qualifying SHARE tenant, the master-metered Customer shall bill the qualifying tenant at the applicable rates equivalent to Schedule ED, Residential SHARE Program Service. A non-qualifying tenant shall be billed at the applicable rates equivalent to Schedule EA, Residential Service.



# CITY OF LODI

## ELECTRIC UTILITY DEPARTMENT

### SCHEDULE EA

### RESIDENTIAL SERVICE

#### APPLICABILITY:

This schedule is applicable to single-phase domestic power service in single-family and multi-family dwellings separately metered by the City including those on discontinued all electric rate schedule, EE.

#### RATES:

Minimum Charge.....\$5.00

#### Energy Charge is by Tier of kWh usage:

	<u>Tier 1</u> (Baseline)	<u>Tier 2</u> (101-130% of baseline)	<u>Tier 3</u> 131-200% of baseline)	<u>Tier 4</u> (201-300% of baseline)	<u>Tier 5</u> (Over 300% of baseline)
\$/kWh	\$0.1420	\$0.1450	\$0.2235	\$0.3180	\$0.3300

#### Summer (May through October) Energy Tiers

	<u>Tier 1</u> (Baseline)	<u>Tier 2</u> (101-130% of baseline)	<u>Tier 3</u> 131-200% of baseline)	<u>Tier 4</u> (201-300% of baseline)	<u>Tier 5</u> (Over 300% of baseline)
Beginning Tier kWh/month	0	482	626	963	>1,443
Ending Tier kWh/month	481	625	962	1,443	

#### Winter (November through April) Energy Tiers

	<u>Tier 1</u> (Baseline)	<u>Tier 2</u> (101-130% of baseline)	<u>Tier 3</u> 131-200% of baseline)	<u>Tier 4</u> (201-300% of baseline)	<u>Tier 5</u> (Over 300% of baseline)
Beginning Tier kWh/month	0	392	509	783	>1,173
Ending Tier kWh/month	391	508	782	1,173	

#### MARKET COST ADJUSTMENT (MCA):

A Market cost adjustment may be included in each bill for service. The adjustment shall be the product of the total kilowatt-hours (kWh) for which the bill is rendered times the adjustment amount per kWh. The adjustment amount per kWh will be calculated to reflect amounts charged the City by various suppliers of bulk power not covered in the above rates.



SCHEDULE EA  
RESIDENTIAL SERVICE

---

**BILLING CYCLE CHARGE (MONTHLY BILL):**

The billing cycle charge is the higher of the sum of the Minimum Charge and the MCA or the sum of the Energy Charge and the MCA.

**SPECIAL CONDITIONS:**

- (a) When a business or commercial establishment is conducted in conjunction with a residence and both are measured through one meter, this rate does not apply.
- (b) This rate does not apply to service used for common area and facilities in multi-family dwellings.
- (c) An additional first block medical quantity is available as described in Schedule MR, Residential Medical Rider.

**FIXED INCOME DISCOUNT:**

For those customers who are on fixed incomes below \$45,000 annually and who are over 62 years of age, and do not qualify for any other discount, a discount of 5% shall apply to the electric bill. Procedures as to qualification will be established by the Electric Utility Department.



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for May 16, 2007 to introduce ordinance amending Chapter 13.20, "Electrical Service," by replacing Section 13.20.175 Schedule MCA (Market Cost Adjustment) with Schedule ECA (Energy Cost Adjustment) to become effective July 1, 2007 (EUD)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Electric Utility Director

**RECOMMENDED ACTION:** Set a public hearing for May 16, 2007 to consider changes to Chapter 13.20, "Electrical Service," by replacing Section 13.20.175 Schedule MCA (Market Cost Adjustment) with Schedule ECA (Energy Cost Adjustment). It is recommended that implementation be effective July 1, 2007.

**BACKGROUND INFORMATION:** Prior to December 2002, when the Market Cost Adjustment (MCA) was implemented, Lodi's electric rate schedules included an element similar to the ECA which was called a purchased power cost adjustment (PPCA). The applicability of the MCA superceded the old PPCA. Whereas the PPCA was applied equally to all kWh on all rate schedules, the MCA has been applied differently to specific rate classes and in some cases on a tiered amount based on monthly consumption. At times, some rate classes saw as much as 19¢ per kWh MCA, while others received little or no MCA. The MCA was intended to be reviewed/revised on a quarterly basis and requires City Council action to make adjustments. The proposed ECA, on the other hand, would provide for "automatic" adjustments with reduced electricity prices theoretically just as likely as increased charges.

Similar schedules are utilized by electric utilities nationwide, including many of California's publicly owned utilities (i.e. Anaheim, Redding, Pasadena, Los Angeles, Imperial Irrigation District, and Roseville). Both of the financial rating agencies (Standard & Poors and Fitch) involved in periodic assessment of Lodi Electric Utility's financial condition and outlook have strongly supported the implementation of automated energy cost adjustment mechanisms as proposed herein.

The initial ECA base rate (\$.0831) being proposed is the approximate energy cost per kWh as reflected in current electric rates. The ECA would be recalculated each month as actual costs are determined and the resulting values implemented for bills rendered on the first day of the following month. Staff also proposes to provide ECA calculations to the Lodi Budget and Finance Committee for their ongoing verification.

The ECA would be a component of all City of Lodi electric rate schedules, be non-discounted and would replace Schedule MCA – Market Cost Adjustment.

Attached is a copy of the proposed Schedule ECA, a 12-month example utilizing fiscal year 2008 projected sales energy costs and a preliminary financial forecast for fiscal year 2008.

APPROVED: \_\_\_\_\_  
Blair King, City Manager

Set Public Hearing for May 16, 2007 to introduce ordinance amending Chapter 13.20, "Electrical Service," by replacing Section 13.20.175 Schedule MCA (Market Cost Adjustment) with Schedule ECA (Energy Cost Adjustment) to become effective July 1, 2007 (EUD)

May 2, 2007

Page 2 of 2

**FISCAL IMPACT:** The ECA is intended to be revenue/cost neutral – e.g. when energy costs increase, the ECA increases to offset such costs. The reverse is true during periods of energy cost declines. At the proposed base ECA level of .0831 per kilowatthour and projected fiscal year 2008 energy costs of \$43.3 million, ECA net revenue of \$3.2 million is projected for fiscal year 2008. This is projected to result in a net increase in fiscal year 2008 working capital of \$1.4 million. (see attached.)

**FUNDING:** Not Applicable.

---

George F. Morrow  
Electric Utility Director

Prepared By: Sondra Huff, Senior Rate Analyst

GFM/SH/lst

Attachments (3)



# CITY OF LODI

## ELECTRIC UTILITY DEPARTMENT

### SCHEDULE ECA

### ENERGY COST ADJUSTMENT

#### **APPLICABILITY:**

This schedule is applicable to all electric customers served by the City of Lodi. Each customer shall pay the applicable rate plus an Energy Cost Adjustment (ECA) for each kilowatt-hour (kWh) delivered to the customer. The adjustment shall be the product of the total kilowatt-hours (kWh) for which the bill is rendered times the adjustment amount per kWh.

The purpose of the ECA is to adjust for increases/decreases to the City of Lodi's wholesale energy costs. This adjustment provides a mechanism to recover increased costs for wholesale energy or to lower collections when costs decrease below the base charge level.

#### **RATES:**

Effective July 1, 2007, the ECA billing factor for any given month shall be calculated as follows:

$$ECA = \frac{(a) + (b) - (c)(d+f)}{(e)} - (f)$$

Where:

- (a) equals the amount the City of Lodi is actually charged by the Northern California Power Agency for the billing month, including adjustments for prior billing periods, less any third party revenue credits.
- (b) equals the City of Lodi's estimated costs related to the acquisition of wholesale power, both financial and physical, procured directly by the City for the billing month, including adjustments for prior billing periods.
- (c) equals the difference between actual retail energy sales and projected sales level for the month which is two (2) months prior to the billing month.
- (d) equals the ECA billing factor for the month which is two (2) months prior to the billing month.
- (e) equals the forecast of projected retail energy sales for the billing month.
- (f) equals the baseline energy cost for the City of \$0.0831.

The City of Lodi will recalculate the ECA each month, and resulting amount shall be automatically implemented for bills rendered during the following billing month. ECA calculations will be presented to the Lodi Budget and Finance Committee for their ongoing audit verification.

	July 2007	August 2007	September 2007	October 2007	November 2007	December 2007	January 2008	February 2008	March 2008	April 2008	May 2008	June 2008	Total
Projected kWh Sales	47,855,123	50,777,091	45,204,178	39,096,357	33,805,787	35,250,737	36,781,484	34,100,289	34,836,715	34,723,133	36,718,520	41,954,944	471,104,356
Energy Charges	\$ 3,625,649	\$ 3,558,207	\$ 2,751,355	\$ 2,900,961	\$ 3,685,351	\$ 3,954,336	\$ 4,029,295	\$ 3,850,719	\$ 3,985,613	\$ 3,453,524	\$ 3,469,809	\$ 3,068,698	\$ 42,333,517
Average Rate	\$ 0.0758	\$ 0.0701	\$ 0.0609	\$ 0.0742	\$ 0.1090	\$ 0.1122	\$ 0.1095	\$ 0.1129	\$ 0.1144	\$ 0.0995	\$ 0.0945	\$ 0.0731	\$ 0.0899
ECA	\$ (0.0073)	\$ (0.0130)	\$ (0.0222)	\$ (0.0089)	\$ 0.0259	\$ 0.0291	\$ 0.0264	\$ 0.0298	\$ 0.0313	\$ 0.0164	\$ 0.0114	\$ (0.0100)	\$ 0.0068
Cumulative ECA		\$ (0.0103)	\$ (0.0140)	\$ (0.0129)	\$ (0.0069)	\$ (0.0018)	\$ 0.0018	\$ 0.0047	\$ 0.0073	\$ 0.0081	\$ 0.0084	\$ 0.0068	\$ 3,184,745

Baseline ECA	\$ 0.0831
--------------	-----------

	Projected-FY08
<b>Revenue</b>	
Sales Revenues	66,889,770
ECA Revenue	3,188,145
Other Revenues	1,022,564
Total Revenues	71,100,478
<b>Expenses</b>	
Purchase Power	42,333,517
Non-Power Costs	11,300,000
Total Expenses	53,633,517
Net Revenue Available for Debt Service	17,466,961
<b>Debt Service</b>	9,131,628
Net Revenue Available for Other Purposes	8,335,333
In-lieu Transfer To General Fund	6,873,228
Other changes in working capital	-
Net Increase (Decrease) in Working Capital	1,462,105
Beginning Cash	5,571,823
GOR	
<b>Ending Cash</b>	<b>7,033,928</b>



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for June 6, 2007, to Consider Adopting Resolution Adjusting CPI-Based Water and Wastewater Rates

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Set a public hearing for June 6, 2007, to consider adopting a resolution adjusting CPI-based water and wastewater rates.

**BACKGROUND INFORMATION:** In the spring of 2004, subsequent to City-wide notification, the City Council approved rate increases for water and wastewater services. The public notification and resolution passed at that time included provisions for future rate adjustments based on the Consumer Price Index (CPI).

Resolution No. 2004-77 states that the index to be used shall be the San Francisco-Oakland-San Jose CPI for all items (unadjusted), and the rate increase shall not exceed the percentage change in the CPI index since the previous adjustment. The price index for December 2005 was 203.4 and 210.4 for December 2006, which translates to an increase of 3.44%. The rate increase (as shown on the attached tables) is on all water and wastewater service charges, except for the PCE/TCE charges under water service. The increase amount for a 3-bedroom home is \$0.94 for water and \$0.90 for wastewater. The effective date of the increase is July 1, 2007. (The PCE/TCE rate analysis included a cost inflation allowance in establishing those increases with the three-step increase.)

**FISCAL IMPACT:** There would be an increase in the annual water and wastewater fund revenue, which is needed to help keep up with cost of service increases and new mandated costs.

**FUNDING AVAILABLE:** Not applicable.

\_\_\_\_\_  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Rebecca Areida, Management Analyst

RCP/RA/pmf

Attachments

cc: Steve Mann, Information Systems Manager  
Charles Swimley, Water Services Manager

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

**City of Lodi Water Utility**  
Proposed Water Rates

	Current Rates				Rates Effective 7/1/2007			
Single-Family Residential	Base	Infr.	PCE/ TCE	Monthly Total	Base	Infr.	PCE/TCE (3rd step)	Monthly Total
1 BR - House	\$13.94	\$5.07	\$4.86	\$23.87	\$14.42	\$5.24	\$7.29	\$26.95
2 BR - House	16.73	6.09	5.84	28.66	17.31	6.30	8.76	32.37
3 BR - House	20.06	7.29	7.00	34.35	20.75	7.54	10.50	38.79
4 BR - House	24.1	8.77	8.41	41.28	24.93	9.07	12.61	46.61
5 BR - House	28.91	10.52	10.09	49.52	29.90	10.88	15.13	55.91
6 BR - House	34.69	12.62	12.10	59.41	35.88	13.05	18.16	67.09
7 BR - House	41.62	15.14	14.52	71.28	43.05	15.66	21.78	80.49
Multi-Family Residential								
1 BR - APT	\$11.96	\$4.35	\$4.17	\$20.48	\$12.37	\$4.50	\$6.26	\$23.13
2 BR - APT	14.34	5.22	5.00	24.56	14.83	5.40	7.51	27.74
3 BR - APT (1)	17.21	6.26	6.00	29.47	17.80	6.48	9.01	33.29
Flat Rate Commercial/Industrial Customers - Varies, Increase all by 3.44% except PCE/TCE surcharge								
Metered Rate (2)	Base	Infr. \$/ccf	PCE/ TCE	Total	Base	Infr. \$/ccf	PCE/ TCE	Total
Commodity Charge per 100 cu. Ft.	\$0.500	\$0.238		\$0.738	\$0.517	\$0.243		\$0.760
monthly charge								
Comm. 5/8"	\$14.63		\$6.37	\$21.00	\$15.13		\$9.56	\$24.69
Comm. .75"	16.08		7.00	23.08	16.63		10.50	27.13
Comm. 1"	24.11		10.51	34.62	24.94		15.76	40.70
Comm. 1.5"	32.14		14.00	46.14	33.25		21.01	54.26
Comm. 2"	40.19		17.51	57.70	41.57		26.27	67.84
Comm. 3"	56.27		24.51	80.78	58.21		36.77	94.98
Comm. 4"	72.34		31.52	103.86	74.83		47.28	122.11
Comm. 6"	104.50		45.53	150.03	108.09		68.30	176.39
Comm. 8"	136.67		59.50	196.17	141.37		89.25	230.62
Comm. 10"	168.83		73.50	242.33	174.64		110.25	284.89
Construction Water Charges per 100 cu. Ft.	\$0.738				\$0.763			

(1) plus 20% for each additional bedroom

(2) Monthly total for metered commercial customers depends on amount of water used

(3) Established City Utility Discr



**City of Lodi Wastewater Utility**  
Proposed Wastewater Rates

	Current Rates			Rates Effective 7/1/2007		
	Base	Infr.	Monthly Total	Base	Infr.	Monthly Total
Residential						
1 BR	\$11.02	\$4.47	\$15.49	\$11.40	\$4.63	\$16.03
2 BR	14.69	5.96	20.65	15.20	6.17	21.37
3 BR	18.36	7.45	25.81	19.00	7.71	26.71
4 BR	22.04	8.94	30.98	22.80	9.26	32.06
5 BR	25.71	10.43	36.14	26.60	10.80	37.40
6 BR	29.38	11.92	41.30	30.40	12.34	42.74
7 BR	33.05	13.41	46.46	34.20	13.88	48.08

Moderate Strength (annual per SSU)	\$247.80	\$256.33
High Strength User:		
Flow (per MG, annual basis)	2,092.01	2,164.00
BOD (per 1,000 lbs., annual basis)	345.24	357.12
SS (per 1,000 lb., annual basis)	215.86	223.29
Grease Inceptor & Septic Holding Tank Waste within City Limits (per 1,000 gal.)	182.80	189.09
Septic (only) Holding Tank Waste Outside City limits (per 1,000 gal.)	388.06	401.41
Disposal to Storm Drain System (per MG)	192.00	198.61
Disposal to Industrial System:		
Flow (per MG, annual basis)	1,309.48	n/a rates adusted annually per
BOD (per 1,000 lbs., annual basis)	22.82	LMC § 13.12.210
Winery Waste (per 1,000 gal.)	185.10	191.47

(1) Established City Utility Discounts apply to above rates

**Comments by the public on non-agenda items**

**THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.**

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**Comments by the City Council Members on non-agenda items**



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to Consider Adoption of Resolution Establishing Public Works Department Engineering Fees for Various Development-Related Engineering Services; Establishing Standard Unit Price Schedule for Calculation of Engineering Fees and Improvement Security; and Establishing Requirement for Warranty Security for Public Improvements

**MEETING DATE:** May 2, 2007 (Continued from April 18, 2007)

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** 1) Conduct a public hearing to consider the 2) adopt a resolution establishing Public Works Department engineering fees for various development-related engineering services; establish a standard unit price schedule for calculation of engineering fees and improvement security; and establish a requirement for warranty security for public improvements.

**BACKGROUND INFORMATION:** In an ongoing effort to recover Public Works Department staff costs related to development services, staff is recommending that the fee structure for engineering plan check and inspection services and reimbursement agreement preparation and payment processing be updated and that a new fee be established for the preparation of a partial acceptance of public improvements associated with any given development project. The proposed fees are shown on Exhibit A. Staff further recommends that a standard unit price schedule (Exhibit B) be established for the calculation of engineering plan check and inspection fees and that warranty security be required prior to acceptance of project improvements. These items are more fully explained below.

### Engineering Plan Check and Inspection Fees

To aid in our mission to recover staff costs for development services while maintaining fee schedules comparable with other San Joaquin County cities, staff contracted with Ruark and Associates to review the City's fee structure for engineering plan check and inspection fees, compare the fees with other San Joaquin County communities and make recommendations for changes to the City's fee structure for these services (Exhibit C). As part of this exercise, a standard unit pricing schedule for public improvements was also developed for use in determining the project construction value on which the plan check and inspection fees and improvement security requirements are based. It is common practice in many communities to use such a unit price schedule to provide consistency in fee and improvement security requirements and streamline the preparation of improvement agreements.

The five communities chosen for the fee comparison were Stockton, Lathrop, Manteca, Tracy and the Mountain House County Services District. They were selected because they are all located within San Joaquin County and are experiencing, or have recently experienced, significant growth due to development. The results of the survey indicate that Lodi is currently collecting, on average, lower plan check fees and slightly higher inspection fees than neighboring communities. It is recommended that the fees be revised. The proposed fee schedule and standard unit pricing schedule are shown on attached Exhibits A and B, respectively. To account for inflation, the unit price schedule shall be adjusted annually on January 1 using the Engineering News Record (ENR) 20 Cities Construction Cost Index.

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

#### Reimbursement Agreement Preparation and Payment Processing Charges

On November 6, 1991, the City Council adopted Ordinance No. 1527 (LMC 16.40) creating a procedure for preparation and processing of public improvement reimbursement agreements. The reimbursement agreements identify the reimbursable construction costs (the cost of improvements that benefit other properties or which would be required to be constructed by those properties upon development) and set forth the terms for the collection and disbursement of those reimbursable costs. The Ordinance provides that the City Council may adopt charges, by resolution, for the City to prepare and process said agreements. Resolution No. 91-206, adopted November 6, 1991, established a charge for preparation of the reimbursement agreements (1% of the reimbursable construction costs, minimum \$500) and a processing charge (\$60) for collection and disbursement of each reimbursement payment. Since the agreement preparation charge is based on the cost of the reimbursable improvements, the charge has increased over time based on the rise in construction costs. The minimum charge, however, needs to be adjusted to reflect increased staff costs for the basic tasks common to all projects, whether large or small, resulting from increased personnel costs and the complexity of the reimbursement agreements. In addition, the processing charge was established as a flat fee and needs to be updated to cover increased City staff costs for collecting and processing reimbursement payments.

Staff recommends that the charge for reimbursement agreement preparation be established as 1% of the reimbursable construction costs, with a minimum charge of \$750, and the processing charge for each reimbursement payment collected be set at \$200 (see Exhibit A). In addition, the minimum reimbursement agreement preparation charge and the payment processing charge shall be adjusted annually on July 1 based on the Consumer Price Index (San Francisco, Urban, unadjusted) for the previous calendar year, in keeping with the policy established for other engineering fees.

#### Partial Acceptance Fee

It is becoming common practice for developers to request that a portion of the public improvements being installed in conjunction with a subdivision or other development project be accepted before all the required improvements for the project are complete. If reasonable, staff has generally tried to accommodate these requests. Processing the partial acceptance request requires the determination of the cost of the completed improvements and preparation of a Council communication requesting Council approval. Historically, staff has performed these additional tasks at no cost to the developer. However, staff is of the opinion that, since the partial acceptance of improvements is requested by the developer for their benefit, the costs occasioned by the City should be recovered. Staff recommends that a partial acceptance fee be established based on time and materials using the established Public Works Engineering Hourly Rate with a minimum fee of \$250 (see Exhibit A). The minimum partial acceptance fee shall be adjusted annually on July 1 based on the Consumer Price Index (San Francisco, Urban, unadjusted) for the previous calendar year, in keeping with the policy established for other engineering fees.

### Warranty Security

Under the terms of City of Lodi improvement agreements covering the installation of public improvements, developers are required to provide improvement security in conformance with Lodi Municipal Code (LMC) Chapter 16.28. The current requirements include improvement security in the amount of 100% of the total estimated cost of public improvements plus engineering costs of surveying, record drawings and certifications as security for the faithful performance of the terms of the improvement agreement (faithful performance security) plus improvement security in the amount of 50% of those same costs as security for the payment of all persons performing labor and furnishing materials in connection with the construction of the improvements covered by the improvement agreement (labor and materials security). The improvement agreements also stipulate that the developer is responsible for the repair or reconstruction of any defective work for any improvements covered by the improvement agreement for a period of one year from the date of Council acceptance of the improvements. There is, however, no provision in LMC Chapter 16.28 for warranty security to insure compliance with this requirement. Currently, faithful performance security is released upon acceptance of the completed improvements by the City Council. Staff recommends that Council require that warranty security be provided prior to the release of the faithful performance security. This is common practice in other San Joaquin County communities. It is recommended that the warranty security be in the amount of ten percent (10%) of the total cost of the project improvements plus engineering costs of surveying, record drawings and certifications and the warranty period be two (2) years following the date of acceptance of the improvements. For those projects receiving partial acceptance during the course of construction, the warranty period for all required project improvements shall commence upon the date of final acceptance for the entire project. If this provision is approved, staff will add similar requirements to City contracts for major street and other appropriate construction projects.

In summary, required improvement security would include the following in the amounts indicated based on the total cost of public improvements plus engineering costs of surveying, record drawings and certifications:

Faithful Performance Security	(100%)
Labor and Materials Security	(50%)
Warranty Security	(10%)

**FISCAL IMPACT:** There will be a modest increase in revenue to cover City costs for engineering plan check, reimbursement agreement preparation, collection and processing of reimbursement payments, and processing of requests for partial acceptance of project improvements. There will be a slight decrease in revenue for engineering inspection services. Warranty provisions will help reduce maintenance costs.

**FUNDING AVAILABLE:** Not applicable.

---

Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer  
RCP/SAW/pmf  
Attachments

cc: Senior Civil Engineer Fujitani  
Senior Engineering Technician Matsumoto

Associate Civil Engineer Chang  
Ruark and Associates

# EXHIBIT A

Engineering Fees	Proposed Fee	Existing Fee
Plan Check, First Submittal	No Change	90% of Estimated Final Approval Fee
Plan Check, Final Approval	5% of first \$100,000 3.5% of next \$200,000 2.5% over \$300,000	5% of first \$50,000 3% of next \$200,000 2% over \$250,000
Inspection	4% of first \$250,000 3.5% of next \$750,000 3.0% over \$1,000,000	4% of construction costs
(1) Public Improvement Reimbursement Agreement		
Agreement Preparation	1% of construction costs, minimum \$750	1% of construction costs, minimum \$500
Payment Processing	\$200	\$60
(1) Partial Acceptance	Time & Materials, minimum \$250	

(1) Fees shall be adjusted annually on July 1 based on the Consumer Price Index (San Francisco, Urban, unadjusted) for the previous calendar year

**EXHIBIT B****UNIT PRICE LIST - 2007**

Development Projects

City of Lodi

Public Works Department

<b>Description <sup>(1)</sup></b>	<b>Unit</b>	<b>Unit Price <sup>(2)</sup></b>
<b>Site Preparation &amp; Grading</b>		
Clearing & grubbing	Acre	\$1,000.00
Lot grading	EA	\$1,500.00
Earthwork	CY	\$2.00
Imported Fill	CY	\$12.00
Remove existing pavement	SF	\$6.00
Remove existing sidewalk	SF	\$6.00
Remove existing curb & gutter	LF	\$11.00
Remove concrete underground structures	CY	\$30.00
Remove existing abandoned utilities	LF	\$15.00
Tree removal	EA	\$200.00
Remove existing barricade	EA	\$500.00
<b>Erosion Control</b>		
Stabilized Construction Entrance	EA	\$1,000.00
Concrete Washout Structure	EA	\$4,000.00
Erosion Control	Acre	\$2,000.00
<b>Miscellaneous</b>		
Landscape & Irrigation	SF	\$10.00
Street Trees	EA	\$200.00
Median Landscape & Irrigation	SF	\$10.00
Masonry Wall (7')	LF	\$100.00
Masonry Wall (8')	LF	\$125.00
Retaining Wall < 2'	LF	\$50.00
Retaining Wall < 3'	LF	\$55.00
Retaining Wall (3' to 4')	LF	\$70.00
Retaining Wall (over 4')	LF	\$90.00
Fence Removal	LF	\$5.00
Engineering & Surveying	LS	3% of Construction Costs
Contingencies	LS	10% of Construction Costs
<b>Street System</b>		
Roadway Excavation	CY	\$20.00
Compact Original Ground (0.50')	SF	\$0.20



# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
Compact Original Ground (0.67')	SF	\$0.20
Compact Native Material (0.50')	SF	\$0.25
Aggregate Base, Class II (0.30')	SF	\$0.60
Aggregate Base, Class II (0.40')	SF	\$0.70
Aggregate Base, Class II (0.50')	SF	\$0.80
Aggregate Base, Class II (0.60')	SF	\$1.00
Aggregate Base, Class II (0.70')	SF	\$1.20
Aggregate Base, Class II (0.80')	SF	\$1.35
Aggregate Base, Class II (0.90')	SF	\$1.50
Aggregate Base, Class II (1.0')	SF	\$1.65
Asphalt Concrete, Type B (0.25')	SF	\$1.25
Asphalt Concrete, Type B (0.30')	SF	\$1.35
Asphalt Concrete, Type B (0.35')	SF	\$1.45
Asphalt Concrete, Type B (0.40')	SF	\$1.60
Asphalt Concrete, Type B (0.50')	SF	\$1.75
Asphalt Concrete, Type B (0.60')	SF	\$2.00
Asphalt Concrete, Type B (0.70')	SF	\$2.25
Asphalt Concrete, Type B (0.80')	SF	\$2.50
Asphalt Concrete, Type B (0.90')	SF	\$2.80
Asphalt Concrete, Type B (1.0')	SF	\$3.00
Asphalt Overlay (0.10')	SF	\$0.50
Asphalt Overlay (0.15')	SF	\$0.75
Slurry	SF	\$0.15
Sawcut	LF	\$3.00
Grind	SF	\$0.20
Rolled Curb, Gutter, & Sidewalk	LF	\$22.00
Vertical Curb & Gutter	LF	\$22.00
Sidewalk	SF	\$5.50
Vertical Curb, Gutter & Sidewalk (5')	LF	\$25.00
Vertical Curb, Gutter & Sidewalk (7')	LF	\$35.00
Curb Return, including HC Ramp	EA	\$2,500.00
Mid-block HC Ramp	EA	\$2,000.00
Concrete subgrade compaction	SF	\$2.50
Residential Driveway (16' wide)	EA	\$1,500.00
Commercial Driveway (24' wide)	EA	\$2,500.00
Special Commercial Driveway	EA	\$5,000.00
Median Curb	LF	\$20.00
Dead End Barricade (Standard Plan 128)	EA	\$600.00
Dead End Barricade (Standard Plan 139)	EA	\$750.00
Sidewalk Barricade	EA	\$500.00
6" Asphalt Concrete Berm	EA	\$20.00
5' Asphalt Concrete Ramp	EA	\$600.00
Header Board	LF	\$50.00
Street Name Sign & Post	EA	\$450.00

# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
Flexible Paddle Markers/Delineators	EA	\$60.00
Remove-Relocate Existing Sign	EA	\$300.00
Street Lights (Pedestal Type 100 Watt)	EA	\$3,000.00
Street Lights (Mast Type 100 Watt)	EA	\$2,100.00
Street Lights (Mast Type 250 Watt)	EA	\$2,500.00
Survey Monument	EA	\$600.00
Traffic Signal	EA	\$300,000.00
Traffic Signs	EA	\$450.00
Traffic Striping	LF	\$1.00
<b>Storm Drain System</b>		
12" Storm Drain Pipe (PVC)	LF	\$35.00
12" Storm Drain Pipe (RCP)	LF	\$35.00
15" Storm Drain Pipe (PVC)	LF	\$45.00
15" Storm Drain Pipe (RCP)	LF	\$45.00
18" Storm Drain Pipe (PVC)	LF	\$55.00
18" Storm Drain Pipe (RCP)	LF	\$55.00
21" Storm Drain Pipe (RCP)	LF	\$60.00
24" Storm Drain Pipe (RCP)	LF	\$65.00
30" Storm Drain Pipe (RCP)	LF	\$70.00
36" Storm Drain Pipe (RCP)	LF	\$80.00
42" Storm Drain Pipe (RCP)	LF	\$110.00
48" Storm Drain Pipe (RCP)	LF	\$150.00
48" Storm Drain Manhole	EA	\$3,000.00
60" Storm Drain Manhole	EA	\$4,000.00
72" Storm Drain Manhole	EA	\$5,500.00
Side Inlet Catch Basin	EA	\$2,000.00
Drop Inlet Catch Basin w/AC Apron	EA	\$1,500.00
24" Riser	EA	\$350.00
Connect to Existing Storm Drain	EA	\$5,000.00
Adjust Manhole to Grade	EA	\$500.00
<b>Sanitary Sewer System</b>		
6" Sanitary Sewer Pipe (VCP)	LF	\$15.00
6" Sanitary Sewer Pipe (PVC)	LF	\$12.00
8" Sanitary Sewer Pipe (VCP)	LF	\$25.00
8" Sanitary Sewer Pipe (PVC)	LF	\$22.00
10" Sanitary Sewer Pipe (VCP)	LF	\$30.00
10" Sanitary Sewer Pipe (PVC)	LF	\$25.00
12" Sanitary Sewer Pipe (VCP)	LF	\$35.00
12" Sanitary Sewer Pipe (PVC)	LF	\$30.00
15" Sanitary Sewer Pipe (VCP)	LF	\$45.00
15" Sanitary Sewer Pipe (PVC)	LF	\$40.00
18" Sanitary Sewer Pipe (VCP)	LF	\$60.00

# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
18" Sanitary Sewer Pipe (PVC)	LF	\$65.00
21" Sanitary Sewer Pipe (VCP)	LF	\$65.00
24" Sanitary Sewer Pipe (VCP)	LF	\$65.00
Sanitary Sewer Manhole (48")	EA	\$2,500.00
Sanitary Sewer Manhole (60")	EA	\$4,500.00
Sanitary Sewer Drop Manhole	EA	\$3,500.00
Sanitary Service with Cleanout	EA	\$550.00
4" Service with No Cleanout	EA	\$450.00
Sanitary Sewer Riser	EA	\$350.00
Lamphole	EA	\$550.00
Connect to Existing Sanitary Sewer	EA	\$5,000.00
Adjust Manhole to Grade	EA	\$500.00
<b>Water System (Domestic &amp; Recyled)</b>		
6" Water Pipe (DIP)	LF	\$35.00
6" Water Pipe (PVC)	LF	\$30.00
8" Water Pipe (DIP)	LF	\$45.00
8" Water Pipe (PVC)	LF	\$40.00
10" Water Pipe (DIP)	LF	\$50.00
10" Water Pipe (PVC)	LF	\$45.00
12" Water Pipe (DIP)	LF	\$55.00
12" Water Pipe (PVC)	LF	\$50.00
14" Water Pipe (DIP)	LF	\$60.00
14" Water Pipe (PVC)	LF	\$55.00
6" Gate Valve	EA	\$1,000.00
8" Gate Valve	EA	\$1,200.00
10" Gate Valve	EA	\$1,500.00
12" Gate Valve	EA	\$1,800.00
14" Gate Valve	EA	\$2,100.00
Adjust Valves to Grade	EA	\$500.00
Fire Hydrant Assembly	EA	\$3,000.00
Blowoff (Permanent)	EA	\$1,200.00
Blowoff (Temporary)	EA	\$400.00
Connect to Existing Water	EA	\$5,000.00
1" Water Service w/Meter Box	EA	\$750.00
1" Water Service w/No Meter Box	EA	\$600.00
1½" Water Service w/Meter Box	EA	\$850.00
2" Water Service w/Meter Box	EA	\$1,000.00

<sup>(1)</sup> For construction items not listed, the unit price shall be determined by the City Engineer

<sup>(2)</sup> Unit prices listed are minimums.

# City of Lodi

## Update Existing Fee Structure for Plan Checking and Inspection Services

October 2006



*Prepared By:*

**Ruark and Associates**  
2303 Camino Ramon, Suite 270  
San Ramon, California 94583  
(925) 820-7050

## **Table of Contents**

<b>Executive Summary</b>	<b>1</b>
<b>Project Understanding</b>	<b>2</b>
<b>The City of Lodi's Existing Plan Check and Inspection Fees</b>	<b>2</b>
<b>Comparison Communities' Existing Plan Check and Inspection Fees</b>	<b>3</b>
<b>Average Charges</b>	<b>4</b>
<b>Modified Average</b>	<b>5</b>
<b>Recommended Fee for Plan Check Services</b>	<b>6</b>
<b>Recommended Fee for Inspection Services</b>	<b>6</b>

## Executive Summary

The City of Lodi has established plan check and inspection fees for development projects. The City has contracted with Ruark and Associates to compare the City's fee structure with five other communities within the County of San Joaquin and to make recommendations regarding the City's fee structure. The City of Lodi's charges are based on an approved estimated cost of public improvements. The estimate must be approved by the City. The following is the current fee for plan check and inspection services:

Plan Check      5% for first \$50,000  
                     3% for the next \$200,000  
                     2% for every dollar over \$250,000

Inspection      4% for every dollar

After comparing the existing plan check and inspection fees for San Joaquin County communities of Stockton, Lathrop, Tracy, Manteca and Mountain House with those of the City of Lodi, the City is collecting fewer fees on the average than the other comparison communities for plan check services and slightly higher fees for inspection services than their neighboring communities. Ruark and Associates recommends that the City modifies their plan checking and inspection fees as follows:

Plan Check      5 % for first \$100,000  
                     3.5% for the next \$200,000  
                     2.5% for every dollar over \$300,000

Inspection      4% for first \$250,000  
                     3.5% for the next \$750,000  
                     3.0% for every dollar over \$1,000,000

## Project Understanding

### **Background**

The City of Lodi has established plan check and inspection fees for development projects. The City has contracted with Ruark and Associates to compare the City's fee structure with five other communities within the County of San Joaquin and to make recommendations regarding the City's fee structure. This report will compare the existing plan check and inspection fees for the City of Lodi with the following communities:

1. The City of Stockton
2. The City of Lathrop
3. The City of Manteca
4. The City of Tracy
5. The Mountain House County Service District

### **Comparison Communities**

The five communities above were chosen because they are all located within San Joaquin County and are or have recently experienced significant amount of growth due to development.

## The City of Lodi's Existing Plan Check and Inspection Fee

The City of Lodi's charges are based on an approved estimated cost of public improvements. The estimate must be approved by the City. The following is the current fee for plan check and inspection services:

<u>Plan Check</u>	5% for first \$50,000 3% for the next \$200,000 2% for every dollar over \$250,000
<u>Inspection</u>	4% for every dollar

## Comparison Communities' Existing Plan Check and Inspection Fees

All of the comparison communities' charges are based on an approved estimated cost of public improvements. The estimate must be approved by the community. The following are the fees for plan check and inspection services for the comparison communities:

### City of Stockton

Plan Check      5.5% for first \$100,000  
                      3% for the next \$650,000  
                      2% for every dollar over \$750,000

Inspection      3.5% for every dollar

### City of Lathrop

Plan Check      5.5% for first \$25,000  
                      4.5% for the next \$225,000  
                      3.5% for every dollar over \$250,000

Inspection      3% for every dollar

### City of Manteca

Plan Check and Inspection together      2% for every dollar

### City of Tracy

Plan Check      5.68% for every dollar

Inspection      3.5% for every dollar

### Mountain House County Service District

Plan Check      7.22% for first \$50,000  
                      4.2% for the next \$250,000  
                      1.95% for every dollar over \$250,000

Inspection      6.88% for first \$200,000  
                      3.85% for the next \$300,000  
                      2.75% for the next \$500,000  
                      2.25% for every dollar over \$1,000,000



## Average Charges

Table 1 presents the fees for plan check and inspection services for each community along with the average fee charged. The plan check fee charged by the majority of the communities is on a sliding scale. This sliding scale recognizes that the effort to check a small amount of improvements is greater on a dollar for dollar basis than when there are a lot of improvements. The sliding scale recognizes the economy of scale. Two cities (Tracy and Manteca) charge flat rates. However, most of the communities charge a flat rate for inspection services. The average fees charged are as follows:

**Plan Check**    5% for first \$25,000  
                      4.83% for the next \$25,000  
                      4% for the next \$50,000  
                      3.58% for the next \$150,000  
                      3.25% for the next \$50,000  
                      2.87% for the next \$450,000  
                      2.70% for every dollar over \$750,000

**Inspection**    3.65% for first \$200,000  
                      3.14% for the next \$300,000  
                      2.96% for the next \$500,000  
                      2.88% for every dollar over \$1,000,000

<p align="center"><i>Table 1</i> Existing Fees for Plan Check and Inspection Services</p>							
<b>Plan Check</b>	<b>Lodi</b>	<b>Lathrop</b>	<b>Tracy</b>	<b>Stockton</b>	<b>Mountain House</b>	<b>Manteca</b>	<b>Average</b>
First 25k	5%	5.5%	5.78%	5.5%	7.22%	2%	5%
Next 25k	5%	4.5%	5.78%	5.5%	7.22%	2%	4.83%
Next 50k	3%	4.5%	5.78%	5.5%	4.2%	2%	4%
Next 150k	3%	4.5%	5.78%	3.0%	4.2%	2%	3.58%
Next 50k	2%	3.5%	5.78%	3.0%	4.2%	2%	3.25%
Next 450k	2%	3.5%	5.78%	3.0%	1.95%	2%	2.87%
Next 750k	2%	3.5%	5.78%	2.0%	1.95%	2%	2.70%
<b>Inspection</b>							
First 200k	4%	3%	3.5%	3.5%	6.88%	included in plan check fee	3.65%
Next 300k	4%	3%	3.5%	3.5%	3.85%		3.14%
Next 500k	4%	3%	3.5%	3.5%	2.75%		2.96%
Over 1 Mil	4%	3%	3.5%	3.5%	2.25%		2.88%

## Modified Average

The above average indicates that two things are occurring with Lodi's existing fees. The City is collecting fewer fees on the average than the other comparison communities for plan check services and slightly higher fees for inspection services than their neighboring communities. However to get a more accurate average of the appropriate fees to collect, we recommend that the fees charged by the City of Tracy and the City of Manteca be removed from the averages since they do not recognize the economy of scale and skew the averages. Table 2 presents the revised averages.

**Plan Check**      5.8% for first \$25,000  
                          5.56% for the next \$25,000  
                          4.3% for the next \$50,000  
                          3.68% for the next \$150,000  
                          3.2% for the next \$50,000  
                          2.49% for the next \$450,000  
                          2.36% for every dollar over \$750,000

**Inspection**      4.35% for first \$200,000  
                          3.59% for the next \$300,000  
                          3.31% for the next \$500,000  
                          3.12% for every dollar over \$1,000,000

Table 2 Average Without Tracy and Manteca					
Plan Check	Lodi	Lathrop	Stockton	Mountain House	Average
First 25k	5%	5.5%	5.5%	7.22%	5.8%
Next 25k	5%	4.5%	5.5%	7.22%	5.56%
Next 50k	3%	4.5%	5.5%	4.2%	4.3%
Next 150k	3%	4.5%	3.0%	4.2%	3.68%
Next 50k	2%	3.5%	3.0%	4.2%	3.2%
Next 450k	2%	3.5%	3.0%	1.95%	2.49%
Next 750k	2%	3.5%	2.0%	1.95%	2.36%
Inspection					
First 200k	4%	3%	3.5%	6.88%	4.35%
Next 300k	4%	3%	3.5%	3.85%	3.59%
Next 500k	4%	3%	3.5%	2.75%	3.31%
Over 1 Mil	4%	3%	3.5%	2.25%	3.12%

## Recommended Fee for Plan Check Services

In order for a fee to be usable it must be easily understood and practical to use. The above averages while valuable for comparison has too many levels for simplicity sake. We recommend that the City should still use a sliding scale for plan check services and that no more than three levels be used. However we recommend that the levels for changing the fees be slightly modified. We recommend the following for plan check services:

<u>Plan Check</u>	5 % for first \$100,000
	3.5% for the next \$200,000
	2.5% for every dollar over \$300,000

## Recommended Fee for Inspection Services

In order for a fee to be usable it must be easily understood and practical to use. The above averages while valuable for comparison has too many levels for simplicity sake. We recommend that the City should still use a sliding scale for inspection services and that no more than three levels be used. We recommend the following for inspection services:

<u>Inspection</u>	4% for first \$250,000
	3.5% for the next \$750,000
	3.0% for every dollar over \$1,000,000

A RESOLUTION OF THE LODI CITY COUNCIL ESTABLISHING PUBLIC WORKS DEPARTMENT  
ENGINEERING FEES FOR VARIOUS DEVELOPMENT-RELATED ENGINEERING SERVICES;  
ESTABLISHING STANDARD UNIT PRICE SCHEDULE FOR CALCULATION OF ENGINEERING  
FEES AND IMPROVEMENT SECURITY; AND ESTABLISHING REQUIREMENT FOR  
WARRANTY SECURITY FOR PUBLIC IMPROVEMENTS

=====

WHEREAS, the Lodi Municipal Code requires the City Council, by resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, in an ongoing effort to recover Public Works Department staff costs related to development services, staff recommends that the fee structure for engineering plan check and inspection services and reimbursement agreement preparation and payment processing be updated and that a new fee be established for the preparation of a partial acceptance of public improvements associated with any given development project, as shown on Exhibit A; and

WHEREAS, staff further recommends that a standard unit price schedule be established for the calculation of engineering plan check and inspection fees and that warranty security be required prior to acceptance of project improvements, as shown on Exhibit B.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds as follows:

1. That the fee structure for engineering plan check and inspection services and reimbursement agreement preparation and payment processing be established and a new fee be established for the preparation of a partial acceptance of public improvements associated with any given development project, as shown on Exhibit A attached and made a part hereof; and
2. That a standard unit price schedule be established for the calculation of engineering plan check and inspection fees and that warranty security be required prior to acceptance of project improvements, as shown on Exhibit B attached and made a part hereof; and
3. All resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist; and
4. This resolution shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect immediately upon its adoption.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –  
NOES: COUNCIL MEMBERS –  
ABSENT: COUNCIL MEMBERS –  
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_

# EXHIBIT A

Engineering Fees	Proposed Fee	Existing Fee
Plan Check, First Submittal	No Change	90% of Estimated Final Approval Fee
Plan Check, Final Approval	5% of first \$100,000 3.5% of next \$200,000 2.5% over \$300,000	5% of first \$50,000 3% of next \$200,000 2% over \$250,000
Inspection	4% of first \$250,000 3.5% of next \$750,000 3.0% over \$1,000,000	4% of construction costs
(1) Public Improvement Reimbursement Agreement		
Agreement Preparation	1% of construction costs, minimum \$750	1% of construction costs, minimum \$500
Payment Processing	\$200	\$60
(1) Partial Acceptance	Time & Materials, minimum \$250	

(1) Fees shall be adjusted annually on July 1 based on the Consumer Price Index (San Francisco, Urban, unadjusted) for the previous calendar year

**EXHIBIT B****UNIT PRICE LIST - 2007**

Development Projects

City of Lodi

Public Works Department

<b>Description <sup>(1)</sup></b>	<b>Unit</b>	<b>Unit Price <sup>(2)</sup></b>
<b>Site Preparation &amp; Grading</b>		
Clearing & grubbing	Acre	\$1,000.00
Lot grading	EA	\$1,500.00
Earthwork	CY	\$2.00
Imported Fill	CY	\$12.00
Remove existing pavement	SF	\$6.00
Remove existing sidewalk	SF	\$6.00
Remove existing curb & gutter	LF	\$11.00
Remove concrete underground structures	CY	\$30.00
Remove existing abandoned utilities	LF	\$15.00
Tree removal	EA	\$200.00
Remove existing barricade	EA	\$500.00
<b>Erosion Control</b>		
Stabilized Construction Entrance	EA	\$1,000.00
Concrete Washout Structure	EA	\$4,000.00
Erosion Control	Acre	\$2,000.00
<b>Miscellaneous</b>		
Landscape & Irrigation	SF	\$10.00
Street Trees	EA	\$200.00
Median Landscape & Irrigation	SF	\$10.00
Masonry Wall (7')	LF	\$100.00
Masonry Wall (8')	LF	\$125.00
Retaining Wall < 2'	LF	\$50.00
Retaining Wall < 3'	LF	\$55.00
Retaining Wall (3' to 4')	LF	\$70.00
Retaining Wall (over 4')	LF	\$90.00
Fence Removal	LF	\$5.00
Engineering & Surveying	LS	3% of Construction Costs
Contingencies	LS	10% of Construction Costs
<b>Street System</b>		
Roadway Excavation	CY	\$20.00
Compact Original Ground (0.50')	SF	\$0.20

# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
Compact Original Ground (0.67')	SF	\$0.20
Compact Native Material (0.50')	SF	\$0.25
Aggregate Base, Class II (0.30')	SF	\$0.60
Aggregate Base, Class II (0.40')	SF	\$0.70
Aggregate Base, Class II (0.50')	SF	\$0.80
Aggregate Base, Class II (0.60')	SF	\$1.00
Aggregate Base, Class II (0.70')	SF	\$1.20
Aggregate Base, Class II (0.80')	SF	\$1.35
Aggregate Base, Class II (0.90')	SF	\$1.50
Aggregate Base, Class II (1.0')	SF	\$1.65
Asphalt Concrete, Type B (0.25')	SF	\$1.25
Asphalt Concrete, Type B (0.30')	SF	\$1.35
Asphalt Concrete, Type B (0.35')	SF	\$1.45
Asphalt Concrete, Type B (0.40')	SF	\$1.60
Asphalt Concrete, Type B (0.50')	SF	\$1.75
Asphalt Concrete, Type B (0.60')	SF	\$2.00
Asphalt Concrete, Type B (0.70')	SF	\$2.25
Asphalt Concrete, Type B (0.80')	SF	\$2.50
Asphalt Concrete, Type B (0.90')	SF	\$2.80
Asphalt Concrete, Type B (1.0')	SF	\$3.00
Asphalt Overlay (0.10')	SF	\$0.50
Asphalt Overlay (0.15')	SF	\$0.75
Slurry	SF	\$0.15
Sawcut	LF	\$3.00
Grind	SF	\$0.20
Rolled Curb, Gutter, & Sidewalk	LF	\$22.00
Vertical Curb & Gutter	LF	\$22.00
Sidewalk	SF	\$5.50
Vertical Curb, Gutter & Sidewalk (5')	LF	\$25.00
Vertical Curb, Gutter & Sidewalk (7')	LF	\$35.00
Curb Return, including HC Ramp	EA	\$2,500.00
Mid-block HC Ramp	EA	\$2,000.00
Concrete subgrade compaction	SF	\$2.50
Residential Driveway (16' wide)	EA	\$1,500.00
Commercial Driveway (24' wide)	EA	\$2,500.00
Special Commercial Driveway	EA	\$5,000.00
Median Curb	LF	\$20.00
Dead End Barricade (Standard Plan 128)	EA	\$600.00
Dead End Barricade (Standard Plan 139)	EA	\$750.00
Sidewalk Barricade	EA	\$500.00
6" Asphalt Concrete Berm	EA	\$20.00
5' Asphalt Concrete Ramp	EA	\$600.00
Header Board	LF	\$50.00
Street Name Sign & Post	EA	\$450.00

# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
Flexible Paddle Markers/Delineators	EA	\$60.00
Remove-Relocate Existing Sign	EA	\$300.00
Street Lights (Pedestal Type 100 Watt)	EA	\$3,000.00
Street Lights (Mast Type 100 Watt)	EA	\$2,100.00
Street Lights (Mast Type 250 Watt)	EA	\$2,500.00
Survey Monument	EA	\$600.00
Traffic Signal	EA	\$300,000.00
Traffic Signs	EA	\$450.00
Traffic Striping	LF	\$1.00
<b>Storm Drain System</b>		
12" Storm Drain Pipe (PVC)	LF	\$35.00
12" Storm Drain Pipe (RCP)	LF	\$35.00
15" Storm Drain Pipe (PVC)	LF	\$45.00
15" Storm Drain Pipe (RCP)	LF	\$45.00
18" Storm Drain Pipe (PVC)	LF	\$55.00
18" Storm Drain Pipe (RCP)	LF	\$55.00
21" Storm Drain Pipe (RCP)	LF	\$60.00
24" Storm Drain Pipe (RCP)	LF	\$65.00
30" Storm Drain Pipe (RCP)	LF	\$70.00
36" Storm Drain Pipe (RCP)	LF	\$80.00
42" Storm Drain Pipe (RCP)	LF	\$110.00
48" Storm Drain Pipe (RCP)	LF	\$150.00
48" Storm Drain Manhole	EA	\$3,000.00
60" Storm Drain Manhole	EA	\$4,000.00
72" Storm Drain Manhole	EA	\$5,500.00
Side Inlet Catch Basin	EA	\$2,000.00
Drop Inlet Catch Basin w/AC Apron	EA	\$1,500.00
24" Riser	EA	\$350.00
Connect to Existing Storm Drain	EA	\$5,000.00
Adjust Manhole to Grade	EA	\$500.00
<b>Sanitary Sewer System</b>		
6" Sanitary Sewer Pipe (VCP)	LF	\$15.00
6" Sanitary Sewer Pipe (PVC)	LF	\$12.00
8" Sanitary Sewer Pipe (VCP)	LF	\$25.00
8" Sanitary Sewer Pipe (PVC)	LF	\$22.00
10" Sanitary Sewer Pipe (VCP)	LF	\$30.00
10" Sanitary Sewer Pipe (PVC)	LF	\$25.00
12" Sanitary Sewer Pipe (VCP)	LF	\$35.00
12" Sanitary Sewer Pipe (PVC)	LF	\$30.00
15" Sanitary Sewer Pipe (VCP)	LF	\$45.00
15" Sanitary Sewer Pipe (PVC)	LF	\$40.00
18" Sanitary Sewer Pipe (VCP)	LF	\$60.00



# EXHIBIT B

Description <sup>(1)</sup>	Unit	Unit Price <sup>(2)</sup>
18" Sanitary Sewer Pipe (PVC)	LF	\$65.00
21" Sanitary Sewer Pipe (VCP)	LF	\$65.00
24" Sanitary Sewer Pipe (VCP)	LF	\$65.00
Sanitary Sewer Manhole (48")	EA	\$2,500.00
Sanitary Sewer Manhole (60")	EA	\$4,500.00
Sanitary Sewer Drop Manhole	EA	\$3,500.00
Sanitary Service with Cleanout	EA	\$550.00
4" Service with No Cleanout	EA	\$450.00
Sanitary Sewer Riser	EA	\$350.00
Lamphole	EA	\$550.00
Connect to Existing Sanitary Sewer	EA	\$5,000.00
Adjust Manhole to Grade	EA	\$500.00
<b>Water System (Domestic &amp; Recyled)</b>		
6" Water Pipe (DIP)	LF	\$35.00
6" Water Pipe (PVC)	LF	\$30.00
8" Water Pipe (DIP)	LF	\$45.00
8" Water Pipe (PVC)	LF	\$40.00
10" Water Pipe (DIP)	LF	\$50.00
10" Water Pipe (PVC)	LF	\$45.00
12" Water Pipe (DIP)	LF	\$55.00
12" Water Pipe (PVC)	LF	\$50.00
14" Water Pipe (DIP)	LF	\$60.00
14" Water Pipe (PVC)	LF	\$55.00
6" Gate Valve	EA	\$1,000.00
8" Gate Valve	EA	\$1,200.00
10" Gate Valve	EA	\$1,500.00
12" Gate Valve	EA	\$1,800.00
14" Gate Valve	EA	\$2,100.00
Adjust Valves to Grade	EA	\$500.00
Fire Hydrant Assembly	EA	\$3,000.00
Blowoff (Permanent)	EA	\$1,200.00
Blowoff (Temporary)	EA	\$400.00
Connect to Existing Water	EA	\$5,000.00
1" Water Service w/Meter Box	EA	\$750.00
1" Water Service w/No Meter Box	EA	\$600.00
1½" Water Service w/Meter Box	EA	\$850.00
2" Water Service w/Meter Box	EA	\$1,000.00

<sup>(1)</sup> For construction items not listed, the unit price shall be determined by the City Engineer

<sup>(2)</sup> Unit prices listed are minimums.



## **DECLARATION OF POSTING**

### **CONTINUED PUBLIC HEARING TO CONSIDER RESOLUTION ESTABLISHING PUBLIC WORKS DEPARTMENT ENGINEERING FEES FOR VARIOUS DEVELOPMENT-RELATED ENGINEERING SERVICES; ESTABLISHING STANDARD UNIT PRICE SCHEDULE FOR CALCULATION OF ENGINEERING FEES AND IMPROVEMENT SECURITY; AND ESTABLISHING REQUIREMENT FOR WARRANTY SECURITY FOR PUBLIC IMPROVEMENTS**

On Friday, April 20, 2007, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider resolution establishing Public Works Department engineering fees for various development-related engineering services; establishing standard unit price schedule for calculation of engineering fees and improvement security; and establishing requirement for warranty security for public improvements (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 20, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: May 2, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

EXHIBIT A

## NOTICE OF CONTINUED PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Wednesday, May 2, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Resolution establishing Public Works Department engineering fees for various development-related engineering services; establishing standard unit price schedule for calculation of engineering fees and improvement security; and establishing requirement for warranty security for public improvements

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2<sup>nd</sup> Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl  
City Clerk

**Dated: April 18, 2007**

Approved as to form:

D. Stephen Schwabauer  
City Attorney



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to Consider Adoption of Resolution Setting Storm Drainage Permit Compliance Inspection Fees for Wet Season Construction Inspection

**MEETING DATE:** May 2, 2007 (Continued from April 18, 2007)

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Conduct a public hearing to consider adoption of a resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection.

**BACKGROUND INFORMATION:** The State Water Resource Control Board issued to the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff. A condition of that permit requires that regular wet season inspections of construction site best management practices (BMP's) be performed for all regulated construction sites. Construction activities can alter natural drainage patterns and affect runoff water quality, adding pollutants to the areas river and delta environments. BMP's fall into two categories: erosion and sediment control (i.e., straw mulch, dikes, swales, and bank stabilization) and source control or "good housekeeping practices" (i.e., water conservation practices, vehicle cleaning, concrete washout control, and stockpile covers). The inspections will take place over the wet season that is defined as October 1 through April 15. The State's initial review of our inspections reports indication that more frequent inspections per project are required and this exceeds the City's ability to meet the State's requirements without the addition of inspectors.

Storm Drainage Permit Compliance Inspections are a new service to be provided by the City. Staff recommends that the City Council adopt these new fees that would be collected at the time of approval of an Improvement Agreements and/or at issuance of a Building Permit. The fee per site will vary depending upon the time and length of the construction period. The first monthly construction inspection would include additional effort to document existing conditions and to set up the Inspection Log Report. Subsequent monthly inspections would continue until the completion of construction and could span more than one construction season. The following fee structure is recommended.

1. First Monthly Construction Inspection                      \$156 each
2. Subsequent Monthly Construction Inspection            \$119 each

The fee structure is based upon the inspection proposal provided by WGR Southwest, Inc. At a subsequent Council meeting, staff will request City Council approval of a professional services agreement with WGR Southwest, Inc., to perform the required inspections. The proposed fees include a 25% markup to cover administrative costs of the City.

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

The fees will become effective 30 days after the date of adoption of the resolution. It is anticipated the first inspections will occur in October 2007. The fees will be annually adjusted on July 1, using the Cost of Living Index (San Francisco Urban Area). The first adjustment will take place July 1, 2008.

Staff requests the City Council adopt a resolution establishing Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection and setting the fees as recommended above.

**FISCAL IMPACT:** Revenues from the new fees will offset the cost of required inspections.

**FUNDING AVAILABLE:** Not applicable.

---

Richard C. Prima, Jr.  
Public Works Director

Prepared by F. Wally Sandelin, City Engineer/Deputy Public Works Director

RCP/FWS/pmf

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
SETTING STORM DRAINAGE PERMIT  
COMPLIANCE INSPECTION FEES FOR WET  
SEASON CONSTRUCTION INSPECTION

=====

WHEREAS, the Lodi Municipal Code requires the City Council, by resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, the State Water Resources Control Board issued to the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff; and

WHEREAS, a condition of that permit requires that regular wet season inspections (October 1 through April 15) of construction site best management practices (BMP) be performed for all regulated construction sites; and

WHEREAS, staff recommends approval of the following fee structure to be collected at the time of approval of the Improvement Agreements and Building Permits to cover the costs associated with furnishing this service:

- |    |  |               |
|----|--|---------------|
| 1. | First Monthly Construction Inspection      | \$156.00 each |
| 2. | Subsequent Monthly Construction Inspection | \$119.00 each |

NOW, THEREFORE, BE IT RESOLVED that the City Council finds as follows:

1. That the establishment of Storm Drainage Permit Compliance Inspection Fees are necessary to insure that regular wet season inspections (October 1 through April 15) of construction site BMP be performed for all regulated construction sites and that all inspections are properly recorded; and
2. That the following fee structure be collected at the time of approval of the Improvement Agreements and Building Permits to cover the costs associated with furnishing this service:

1.	First Monthly Construction Inspection	\$156.00 each
2.	Subsequent Monthly Construction Inspection	\$119.00 each
3. That all resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist; and
4. That this resolution shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect immediately upon its adoption.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



## **DECLARATION OF POSTING**

### **CONTINUED PUBLIC HEARING NOTICE TO CONSIDER RESOLUTION SETTING STORM DRAINAGE PERMIT COMPLIANCE INSPECTION FEES FOR WET SEASON CONSTRUCTION INSPECTION**

On Friday, April 20, 2007, in the City of Lodi, San Joaquin County, California, a Public Hearing Notice to consider resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection (attached and marked as Exhibit A) was posted at the following locations:

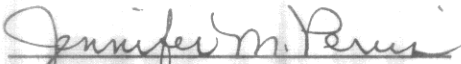
Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 20, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK





## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

### NOTICE OF PUBLIC HEARING

Date: May 2, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

**Randi Johl,**  
City Clerk  
Telephone: (209) 333-6702

**EXHIBIT A**

### NOTICE OF CONTINUED PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Wednesday, May 2, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2<sup>nd</sup> Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl  
City Clerk

Dated: April 18, 2007

Approved as to form:

D. Stephen Schwabauer  
City Attorney



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Appointments to the Lodi Improvement Committee (LIC) and Post for One Remaining Vacancy on the LIC

**MEETING DATE:** May 2, 2007

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** Concur with the Mayor's recommended appointments to the Lodi Improvement Committee (LIC) and post for one remaining vacancy on the LIC.

**BACKGROUND INFORMATION:** As indicated below, the City Clerk's Office was directed to post for three expiring terms and two vacancies on the Lodi Improvement Committee. Five applications were received to fill these positions; however, one candidate withdrew his application, leaving one vacancy remaining on the Committee. It is recommended that the City Council concur with the following appointments and direct the City Clerk to post for the one remaining vacancy.

## **APPOINTMENTS**

### **Lodi Improvement Committee**

Joseph Spinelli	Term to expire March 1, 2010	<i>Posting for expiring term ordered 2/7/07</i>
Sunil Yadav	Term to expire March 1, 2010	<i>Posting for expiring term ordered 2/7/07</i>
Stephen Jarrett	Term to expire March 1, 2010	<i>Posting for expiring term ordered 2/7/07</i>
Ron Lesan	Term to expire March 1, 2008	<i>Posting for vacancy ordered 2/21/07</i>

NOTE: Five applicants (two seeking reappointment; one new application; and one application on file); published in Lodi News Sentinel 2/10/07 and 2/24/07; application deadlines 3/12/07 and 3/26/07

## **POSTING**

### **Lodi Improvement Committee**

One Vacancy	Term to expire March 1, 2008	<i>Posting for vacancy ordered 2/21/07</i>
-------------	------------------------------	--

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None required.

\_\_\_\_\_  
Randi Johl  
City Clerk

RJ/JMP

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Water Meter Retrofit Policy

**MEETING DATE:** May 2, 2007 (Continued from April 18, 2007)

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Direct staff on policy to implement the water meter retrofit program.

**BACKGROUND INFORMATION:** The State of California has mandated that water meters be retrofitted on existing customer services. This matter was brought to the City Council in 2006 for initial discussion. The Council requested that staff evaluate the possibility of retrofitting meters on a "short" time frame.

The attached presentation provides background information, costs of retrofitting meters, discussion on the meter retrofit program and a recommendation. This is an abbreviated and updated version of the presentation for the April 10, 2007 Council Shirtsleeve Session. Based on the Shirtsleeve discussion and comments, staff developed the following recommendation:

- ❖ July 2007 – Begin installing meter on all new services
- ❖ Second half 2007 – Develop program, amend ordinance
- ❖ January 2008:
  - Send letter to property owners requiring installation of meter as condition of service with January 2009 deadline or City will install and bill
  - Start four-year program to install (at no charge) pre-paid meters
- ❖ 2008 – Finish program details, including:
  - Bid installation contract
  - Adopt interim tiered residential rate structure
  - Establish retrofit charge (with one-time or two-year payment plan)
  - Establish low-income, owner-occupied cost reduction program (with CDBG funds)
- ❖ January 2009 – Start three-year contract to install meters, including service upgrades
- ❖ January 1, 2010 – Start metered billing for customers with meter
- ❖ 2009 thru 2011 – Implement program, including cost of service and rate studies

**FISCAL IMPACT:** Actual impact will depend on the policy direction.

**FUNDING AVAILABLE:** Not applicable.

---

Richard C. Prima, Jr.  
Public Works Director

RCP/pmf  
Attachment  
cc: Charlie Swimley, Water Services Manager

**APPROVED:** 

---

Blair King, City Manager

# Accelerated Water Meter Retrofit Program



Lodi City  
Council  
Regular  
Meeting  
May 2, 2007



# Outline

- Background
- Shirtsleeve Session Follow-up
- Meter Costs
- “Accelerated” Program
- Recommendation

# Background

- Historically, Lodi has metered high volume non-residential (commercial/industrial) customers
- 1979 – started installing water services “meter ready”
- Active meter retrofit program in late 80’s; discontinued due to budget cutbacks in 1993
- 1992 State law required meters on new services
  - Did not require charging per commodity rates
  - Lodi adopted “local rule” – we would charge for meters and install at later date when appropriate rates were established
- New State law now mandates charging for water based on usage (commodity rates) for all customers
  - January 1, 2025 deadline for all customers
  - January 1, 2010 deadline for customers with meters
  - Allows cost recovery from rates, fees or charges
- 2006 – City installs 400 residential meters for pilot test

# Shirtsleeve Follow-up Water Use

## ➤ Typical Residential Water Use:

- Lodi Pilot Test: 15,400 gallons/month average  
with pool: 18,310  
w/o pool: 14,880

- Other Areas (per Black & Veatch survey):

Manteca	20,200	Tracy	12,000	Stockton	16,500
Clovis	10,500	Roseville	19,400	Redding	13,500
San Francisco	5,200	EBMUD	8,300	Davis	15,700

4

Approximately 60 pools in homes within pilot test area.

Stockton is City, not California Water Service Co. area.

Roseville is portion within San Juan Water District, not City of Roseville.

## Shirtsleeve Follow-up Rate Structure

➤ **Tiered Rates** (per Black & Veatch survey) :

Area	Percentage of Rate Structures		
	Uniform	Tiered	Other
Northern	36%	54%	10%
Coastal	39%	61%	0%
Central Valley	33%	21%	46%
Southern	64%	35%	1%

5

Stockton is City, not California Water Service Co. area.

Roseville is portion within San Juan Water District, not City of Roseville.



## Shirtsleeve Follow-up Rates/Conservation

- Based on the pilot data and assuming existing commercial metered rates:
  - If customers did not change their usage after receiving a meter, revenue would increase.
  - If customers conserved an average of 15% or 20%, revenue would decrease.
  - Total revenue should be about the same as it is now with flat rates.
  - Compared to flat rates, some metered customers will pay more, others will pay less.

6

There will be some increase in costs over long term for servicing and replacing meters.

## Meter Costs

Service	Number	Unit Cost	Cost (Mil.)
Pre-1979 needing service upgrade	11,000	\$1,200 \$200 meter \$1,000 service	\$13.2 \$ 2.2 mil. \$11.0 mil.
1979-1992 meter ready services	2,500	\$450	\$1.2
1992+ "meter paid" services	3,200 (3,600 less 400 pilot meters)	\$350	\$1.1
City-upgraded Services	500	\$350	\$0.2
Totals:	17,200		\$15.7

Pre-1979 services are buried approximately 30" deep; installing a meter involves excavation, installing fittings and a riser pipe, a meter box and valves along with the meter itself on the service (the main line leading to the structure). The meter would be located at the property or easement line. The estimate does not include replacing the entire service which, in some circumstances, may be necessary.

Note that as part of the infrastructure replacement program, the City has upgraded approximately 500 water services at no additional charge to the property owner.

The estimates do not include the higher cost for larger services at apartments or cases where two lots share a water service.

## “Accelerated” Program

- State law allows for delayed implementation - either “pay as you go” or all at once prior to January 1, 2025
- Council requested information on how program could be accelerated
  - concern for water conservation
  - issues with some customers metered, some not, for the next 18 years
  - some customers have requested meters

## Goal - Conversion on a “tight” time frame

- If sooner, i.e. next three years – then we need \$15.7 million in that time frame; either:
  - from Water Fund
    - – *not feasible - Fund is nearly depleted*
  - raise water rates
    - borrow \$15.7 million, pay back over time
    - *may not be feasible - roughly 20% rate increase for term of borrowing*
    - pay as you go
    - *may not be feasible - roughly 65% rate increase for 3 years*
  - charge property owners of parcels needing meter
    - *is feasible, only real option to implement soon*
    - *charge would range from \$350 to \$1,200 per home and higher for apartment complexes and other situations*
    - *would not include those that have already paid for meter*
    - *charge could be spread over some short time frame, but meter wouldn't be installed until paid in full since water utility cannot afford to front the cash*
- If later, i.e. sometime next decade – then we need to save up \$15.7+ million
  - *if entire infrastructure replacement revenue (\$2 million/year) was dedicated to this program, it would take 8 years*
  - *given PCE and other capital needs, it would actually take much longer*

9

20% figure assumes annual cost of \$1.57 million (10% of capital needs) divided by \$8 million current annual revenue.

65% figure assumes \$15.7 million divided by three years divided by \$8 million annual revenue.

# Basic Choices

## ➤ Who Pays?

- Owner?
- Utility?
- Share? (meter by owner, service by utility; or some other shared cost method)

## ➤ When?

- Short time frame/Now
- Short time frame/Later
- Longer time frame

## Feasibility of Choices (within current rate structure)

Who Pays?	Time Frame		
	Short/Now	Short/Later	Long
Owner	Yes	Yes	Yes
Shared	No	Probably not*	Yes
Utility	No	Probably not*	Probably not*

\* Would be "Yes" if rates were increased

11

# Policy Issues

- During retrofit period, when do we start billing?
  - Start metered billing for those who have meters; or
  - Wait until required (2010)
  - All feasible scenarios will have some “dual rate” period.
  - Recommendation (next slide) includes waiting until 2010
- Water utility to share costs?
  - by not charging individual customers for administration of program, permits, one inspection?
  - by capping meter and service upgrade costs to individual customers?
  - Recommendation assumes “Yes, we will do these”.

12

## Staff Recommendation for Accelerated Program

- July 2007 – Begin installing meter on all new services.
- Second half 2007 – Develop program, amend ordinance.
- January 2008:
  - Send letter to property owners requiring installation of meter as condition of service with January 2009 deadline or City will install & bill.
  - Start 4 year program to install (at no charge) pre-paid meters.
- 2008 – Finish program details, including:
  - Bid installation contract;
  - Adopt interim tiered residential rate structure;
  - Establish retrofit charge (with one-time or 2 year payment plan);
  - Establish low-income, owner occupied cost reduction program (w/CDBG \$)
- January 2009 – Start 3 year contract to install meters, including service upgrades.
- January 1, 2010 – Start metered billing for customers with meter.
- 2009 thru 2011 – Implement program, including cost of service and rate study.

13

Sewer charges could be converted to flow based once history is established and sewer rate study is done.



# Questions/Discussion



14



## **CITY OF LODI COUNCIL COMMUNICATION**

TM

**AGENDA TITLE:** Progress Report on City of Lodi General Plan Update

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Community Development Department

---

**RECOMMENDED ACTION:** Progress Report on City of Lodi General Plan Update.

**BACKGROUND INFORMATION:** Early in 2006, the City Council directed the Community Development Department to begin the process for updating the City of Lodi General Plan. The existing General Plan was adopted in 1991 and was designed to accommodate the City's development through the year 2007. On May 17, 2006, the City Council entered into a contract with the consulting firm of Dyett & Bhatia for contract services related to the update of the General Plan.

Dyett & Bhatia has been working with their consulting team and with City staff to gather as much information as they can regarding the City of Lodi and the issues that will be addressed in the General Plan Update. At the request of the City, Dyett & Bhatia has prepared the following progress report regarding the General Plan Update process.

### **Stakeholder Interviews**

Interviews with previously identified stakeholders were conducted in early March. A total of 58 stakeholders were interviewed in group sessions, most of which lasted about one hour. Meetings were conducted by General Plan consultant and Lodi planning staff. These sessions were free form—stakeholders were given the opportunity to layout, in their points of view, issues of significance and general aspects of Lodi's future and other planning concerns. The consultants are currently writing the report to summarize the issues identified by these stakeholders. The Draft Stakeholder Summary Report will be sent to City Staff for review by early April.

### **Working Papers**

Four working papers, which aim to diagnose the major opportunities and challenges Lodi is facing, are underway. The outlines for these papers have been prepared, and the consultants are currently conducting analysis and writing the drafts on the various topics. These working papers will be reviewed and discussed at the first community workshop in late mid to late June.

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

### ***Working Paper #1: Greenbelt Conservation***

This paper focuses on the issues specific to the greater Lodi-Woodbridge area. Successful strategies that have worked elsewhere in the state in the context of wine production will be presented (such as conservation easements, transfer of development rights, and zoning techniques specific to agriculture/viticulture in Sonoma, Napa, South Livermore, and elsewhere in San Joaquin County). Also, this paper will examine the kinds of uses permitted in agricultural areas in these places. The consultants met with City planning staff in late January to discuss the proposed greenbelt issue and current developments, and has since collected significant soil, geological, water, and other land data. An outline of the paper has been prepared. A draft will be sent to City staff for review around late April.

### ***Working Paper #2: Land Use, Transportation, and Environmental Resources***

This report will provide a descriptive profile of the City's existing conditions—land use, transportation, parks and open space, agricultural and soil resources, biological resources, cultural resources, energy and mineral resources, hydrology and water quality, air quality, natural hazards, hazardous materials, and noise. This report will contribute to the framework of critical issues and challenges impacting the city to be addressed by the updated General Plan. The paper is in the process of being compiled, textually described, mapped, and analyzed. A draft will be sent to City staff for review around mid April.

### ***Working Paper #3: Growth and Economic Development Strategy***

This working paper will present growth trends, likely demand for various land uses (including retail demand by segment), and opportunities, challenges, and possibilities for their future arrangement in Lodi, market conditions, and taxable sales performance of retail shopping establishments. The strategies will examine the demand for neighborhood-oriented retail uses, and possibilities for dispersing them (while recognizing the need for a critical mass of uses in a given location) to enable neighborhood walkability. It will examine issues related to jobs/employment skills and housing match and the potential role tourism can play, and how land use policies can support that vision. Topics covered include population and demographics, existing business and employment characteristics and trends, retail and visitor services, existing economic development programs, and potential growth and development strategies. The consultants provided a summary of findings to stakeholders during the interviews, and a final draft is well underway. A draft will be sent to City staff for review around late April.

### ***Working Paper #4: Urban Design and Livability***

This fourth working paper will diagnose and address the urban design and livability conditions in Lodi. Topics to be examined include the City's accessibility and connections, community and neighborhood design, streetscapes, urban form, city evolution, densities and intensities on the lot, neighborhood, and city scales. It will also evaluate the design and development standards, draft zoning ordinance, and existing subdivision plans. The consultants will conduct a community-based livability assessment as well. This working paper will follow the other three; an outline will be prepared and submitted to City staff for review in early April.

## **First Newsletter, Citywide Survey, and Website**

The newsletter will be sent out to all Lodi residences in mid to late May, along with the survey on planning issues, along with an invitation for the upcoming public workshop. It will help ensure that citizens are informed about how and when to be involved. While the text has been written for the newsletter—that describes the objectives of the General Plan Update process, key issues to be addressed, and opportunities for public participation—the survey will include questions that will result from analysis in the working papers, and must thus wait their completion. The consultants will derive questions and submit them to City staff for review before finalizing the survey. The General Plan Update Website continues to be update by the consultant with the most current public information available. The link is on the Lodi.gov Home Page.

## **Community Workshop #1**

The first community visioning workshop to be held in mid to late June is a citywide event held to further assist the team in “scoping” issues for the General Plan. The intent is to ensure that issues significant to the public are not ignored in the General Plan Update process. The consultants, working with staff, will prepare all materials for the workshops, conduct the meeting, and summarize the findings.

## **Planning Area**

A Planning Area has been determined for the General Plan Update, and confirmed both by the Planning Commission and the City Council. It extends to Interstate 5 (including White Slough) to the west, Acampo Road to the north, Tretheway Road and Highway 88 to the east, and south as far as the horizontal extension of Live Oak Road to the south, encompassing Mettler Road and Micke Grove Regional Park (see attached map).

## **Schedule**

The schedule for the General Plan Update has been revised. The final process will still take place over two years, but we have stretched out the second and third phases (Issues/Visioning and Opportunities/Challenge) to allow for more public input. A more detailed timeline of the above subjects is included as attachments for your information. The upcoming key dates are:

- Working Papers—Drafts submitted to the City from mid April to late May
- Survey and Newsletter—Sent to residences in mid to late May
- Community Workshop #1—mid to late June

**FISCAL IMPACT:** No fiscal impact.

**FUNDING AVAILABLE:** The cost of the above work is included in the contract for the General Plan Update authorized previously by the City Council.

---

Kirk Evans, Budget Manager

---

Peter Pirnejad  
Planning Manager

---

Randy Hatch  
Community Development Director

Attachments:

1. Outline of Working Papers #1, #2 and #3
2. A revised proposed schedule for the General Plan Update and EIR
3. Planning Area Map

## **Opportunities and Challenges Assessment**

### **Working Paper #1: Strategies for Protection of Farmland/ Establishment of a Community Separator**

**Date: March 26, 2007**

- 1 Introduction
  - 1.1 General Plan Update
  - 1.2 Planning Area
  - 1.3 Greenbelt as a General Plan Component
    - 1.3.1 What is a greenbelt?
    - 1.3.2 Planning for a greenbelt
    - 1.3.3 Greenbelts in the General Plan
  - 1.4 Approach and Organization of This Paper
  - 1.5 Next Steps
- 2 Lodi and the Greenbelt Concept
  - 2.1 Overview of Greenbelt Consideration in Lodi
    - 2.1.1 Recent history of greenbelt consideration in Lodi
      - Lower Lodi Agricultural Land Conservation Program (LLALCP)
      - 2x2x2 Greenbelt Committee
      - Community Separator Study
      - Stockton General Plan
      - City of Lodi Greenbelt Task Force
    - 2.1.2 Status of greenbelt-related activity in Lodi
      - Property owners' proposal
      - City initiation of General Plan and SOI amendments
      - Analysis of greenbelt concepts by consultants to the Greenbelt Task Force
      - What happened next, between December 2006 and now?
  - 2.2 Potential Rationales for a Greenbelt South of Lodi
    - 2.2.1 Functions of a greenbelt

Economic

Visual

Community character and identity

2.2.2 What to call a “greenbelt”?

2.2.3 Target area for establishment of greenbelt

### 3 Greenbelt Target Area

#### 3.1 South Area

##### 3.1.1 Physical and resource characteristics

Soils, slopes and drainage

Water availability

##### 3.1.2 Other characteristics

development      Appearance: topography, vegetation, scale/pattern of existing

Land characteristics: parcel size, ownership, and use

Public services (roads, water, sewer, other) – existing and potential

##### 3.1.2 Planning considerations

Suitability for greenbelt designation

Desirable greenbelt scale

Time frame

#### 3.2 West Area

same subheadings as for South Area

#### 3.3 East Area

#### 3.4 North Area

East and North Areas to be discussed more generally.

### 4 Designating a Lodi Greenbelt: The Regulatory and Planning Context

#### 4.1 San Joaquin County

##### 4.1.1 Regulatory considerations

##### 4.1.2 Policy considerations

#### 4.1.3 Uncertainties (LAFCo?)

### 4.2 Lodi

#### 4.2.1 Regulatory considerations

General Plan

Zoning

Right-to-Farm ordinance

#### 4.2.2 Policy considerations

#### 4.2.3 Uncertainties

### 4.3 Stockton

#### 4.3.1 Regulatory considerations

#### 4.3.2 Policy considerations

#### 4.3.3 Uncertainties

## 5 Strategies for Creating and Preserving a Greenbelt

Chapter 5 reviews strategies for creating and preserving a greenbelt, focusing on those that appear most relevant to Lodi.

### 5.1 Establishing a Greenbelt

#### 5.1.1 The basics

Scale, applicable economic resources, sound legal footing, public support

#### 5.1.2 Institutional framework

Public: who plans? who zones?

Multi-jurisdictional collaboration

Non-public: role of land trusts

### 5.2 A Greenbelt Toolbox

#### 5.2.1 Regulation

#### 5.2.2 Voluntary, compensated

Purchase: fee simple, development rights

Fund sources

#### 5.2.3 Voluntary, not compensated

Donations

5.2.4 Mixed systems

Incentivized zoning (clustering of development)

Sale/transfer of development rights

5.2.5 Monitoring and updating

5.3 Summary Case Studies (provisional)

5.3.1 County-based:

Sonoma

Marin

Napa

5.3.2 City-based:

Yuba City

Visalia

5.3.3 City/County collaborations

Alameda and Livermore

Yolo and Davis

Chapter 6 Recommendations for Lodi

6.1 Stakeholders

6.1.1 Property owners (map showing ownerships for South Area would be useful)

6.1.2 City: Why City is interested: community identity, local economy, public opinion

6.1.3 County: History of/prospects for agriculture's planning/zoning status under  
County

6.1.4 Stockton

6.2 Prospects for Common Direction

6.2.1 Collaboration?

6.2.2 Independent tracks with mutually consistent results?

6.2.3 Lodi's "position" on County and Stockton planning policy

6.3 Opportunities



6.3.1 Agricultural mitigation fees

6.3.2 Conservation easements

6.3.3 Other?

6.4 Framework for a Program

## **LODI GENERAL PLAN UPDATE**

### **Opportunities and Challenges Assessment**

#### **Working Paper #2: Land Use, Transportation, Environmental Resources, and Infrastructure Assessment**

#### **DRAFT OUTLINE**

December 6, 2006

Each section of the report will include:

- Background data and information;
- Analysis of the information for its pertinence to the General Plan Update; and
- Policy implications of the analysis and resulting issues.

#### 1. INTRODUCTION AND PURPOSE [D&B]

- 1.1 Purpose of the General Plan Update
- 1.2 Regional Location and Planning Boundaries
- 1.3 Key Objectives and Community Issues
- 1.4 Report Organization
- 1.5 Next Steps

#### 2. LAND USE [D&B]

- 2.1 Current Land Use Pattern
  - Current Land Use Pattern
  - Magnitude and Distribution of Uses
- 2.2 Development Trends and Major Development Projects
  - Residential
  - Nonresidential
- 2.3 Densities and Intensities
- 2.4 Existing Plans
  - Lodi plans (including area plans and specific plans)
  - Key adjacent plans
    - Stockton
    - Woodbridge Community
- 2.5 Planning Issues and Implications

3. TRANSPORTATION SYSTEMS AND CIRCULATION [F&P]

*Each section will have its own Planning Issues and Implications*

- 3.1 Automobiles and Traffic Circulation
- 3.2 Truck Circulation
- 3.3 Public Transit/Commuter Rail
- 3.4 Pedestrian and Bicycle Movement

4. PARKS AND OPEN SPACE [D&B]

- 4.1 Existing Facilities and Planned Improvements
- 4.2 Standards
- 4.3 Deficiencies and Planned Improvements/Match with Community Needs
- 4.4 Planning Issues and Implications

5. AGRICULTURAL AND SOIL RESOURCES [ESA]

5.1 FARMLAND

Including Prime Farmland, Farmland of Statewide Importance, Williamson Act lands

5.2 SOILS

6. ENVIRONMENTAL RESOURCES AND CHALLENGES [ESA]

- 6.1 Biological Resources (and related Waterways)
- 6.2 Cultural Resources
  - Archaeological Resources
  - Historic Resources
- 6.3 Energy and Mineral Resources
- 6.4 Hydrology and Water Quality
- 6.5 Flooding
- 6.6 Air Quality
- 6.7 Hazardous and Toxic Materials
- 6.8 Geology, Soils, and Seismicity
- 6.9 Noise
- 6.10 Planning Issues and Implications

7. PUBLIC FACILITIES [D&B or ESA?]

- 7.1 Schools

**Working Paper #2: Land Use, Transportation, Environmental Resources, and Infrastructure**

**DRAFT OUTLINE**  
**December 6, 2006**

- 7.2 Libraries
- 7.3 Planning Issues and Implications
- 8. INFRASTRUCTURE [WYA]
  - 8.1 Water
  - 8.2 Sanitary Sewer
  - 8.3 Reclaimed Water
  - 8.4 Stormwater Drainage
  - 8.5 Planning Issues and Implications

# LODI GENERAL PLAN UPDATE

## Opportunities and Challenges Assessment

### Working Paper #3: Growth and Economic Development Strategy

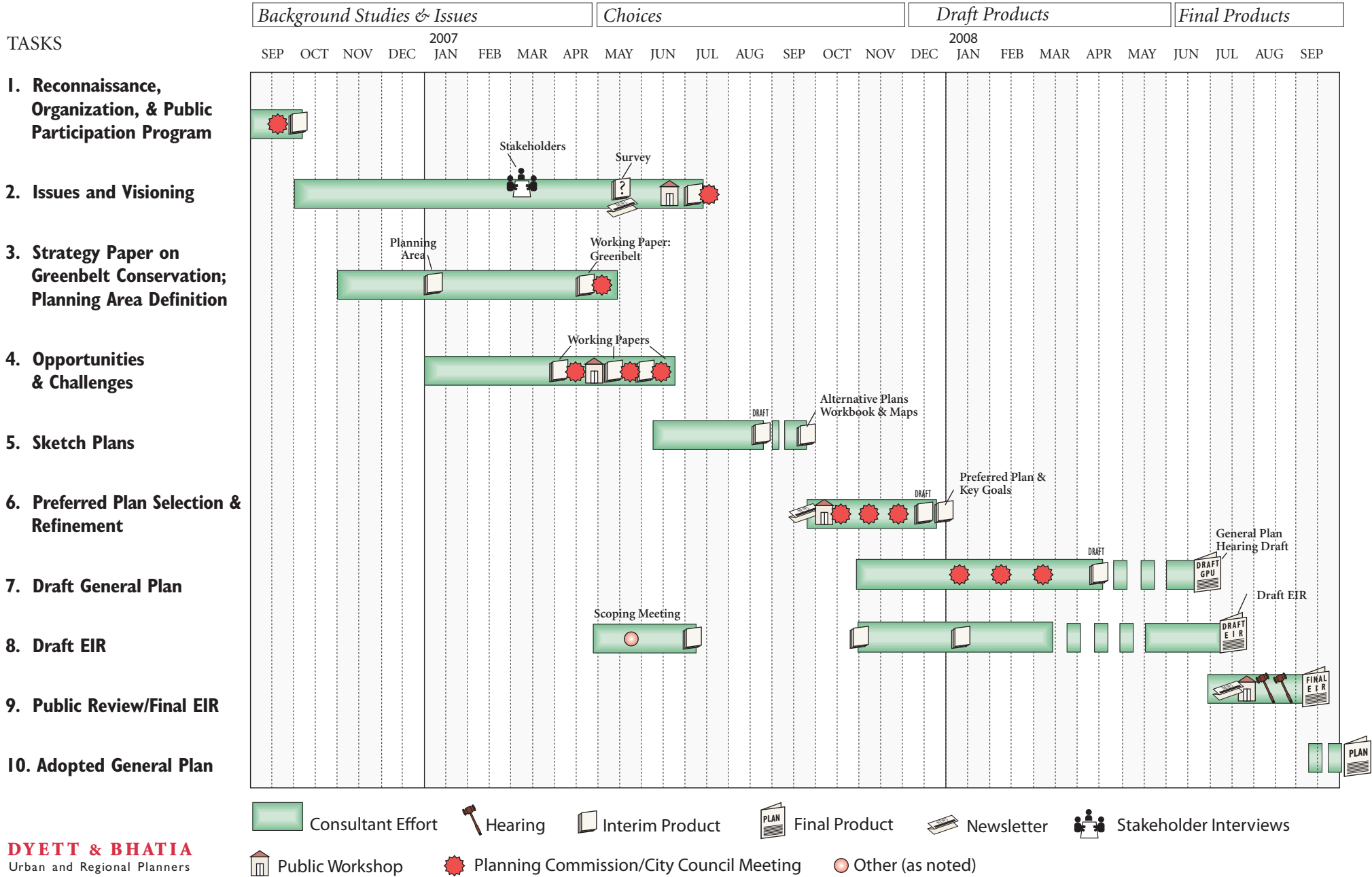
#### DRAFT OUTLINE

December 20, 2006

- 1 Introduction and Purpose
- 2 Population and Demographics
  - 2.1 Population growth
    - Past trends (based on census and DOF data)
    - Projections (from SJCOG); extended five years to 2030 (reflecting Lodi's two per-cent growth rate limitation)
  - 2.2 Population characteristics (likely to be drawn primarily from the US Census)
    - Age
    - Race/ethnicity
    - Educational attainment
  - 2.3 Projected Population Growth
- 3 Housing and households (likely to be drawn primarily from the US Census)
  - 3.1 Housing stock
    - Types of structures
    - Number of bedrooms
    - Age
    - Tenure
    - Occupancy rate
    - Current housing prices
  - 3.2 Households
    - Household size
    - Household composition
    - Household income
- 4 Economic Characteristics
  - 4.1 Business Characteristics (primarily from Economic Census, Chamber of Commerce, and California Employment Development Department)
    - Major Businesses, by industry sector
    - Sizes of businesses
    - Geographic clusters
    - Recent business locations/relocations
      - Sectors of particular growth/decline at present
      - Relative strengths and weaknesses of Lodi
  - 4.2 Employment Characteristics (from 2000 Census, California EDD, and SJCOG)
    - Labor force
    - Employment and unemployment
    - Industry and Occupation of Employed Residents
    - Number of jobs in Lodi
    - Types of jobs (occupation and industry, as available)

- Typical wages for Lodi jobs (from EDD sources)
- Journey to Work (work location of employed Lodi residents and residence location of Lodi workers, based on 2000 US Census)
- Jobs/housing balance (jobs per employed resident)
- 4.3 Retail sales
  - Citywide trends in sales by store category (total and per capita)
  - Distribution of sales within the City (depends on City's ability to provide data by geographic subarea)
    - Downtown
    - Corridors (Kettleman, Cherokee, Lodi)
    - Scattered strip commercial locations and neighborhood centers
  - Historical sales per capita
  - Retail gaps (based on location quotient approach)
  - Additional retail space supported by future households and businesses
  - Regional retail geography
    - Locations outside of Lodi that compete for purchases by City residents
    - Retail sectors in which Lodi attracts purchases from people who live outside the City
- 5 Existing Economic Development Programs (based on consultation with Community Development staff)
  - 5.1 Programs to improve jobs/housing balance
  - 5.2 Programs to diversify the local economy
- 6 Tourism Potential
- 7 General Plan Implications
  - 7.1 Population and Housing Growth
    - Projected population and household growth (compared to two percent limit; may conform)
    - Household incomes and housing prices
  - 7.2 Employment Growth
    - Workers and jobs match (implications for types of jobs that should be sought)
  - 7.3 Projected demand for residential and nonresidential development in the General Plan
    - Housing (units and types)
    - Hotel/motels/hospitality services (including restaurants)
    - Retail (by type, and potentially location)
    - Office/Medical
    - Industrial
    - Others?
  - 7.4 Candidate economic development programs not currently in use by the City
- 8 Policy choices for growth and development
  - 8.1 Types of jobs and businesses to be pursued
  - 8.2 Types of housing development to be permitted/encouraged (focus on density; frame this discussion in light of household incomes, sizes, and types)
  - 8.3 Locations for retail development (downtown vs. other)
  - 8.4 Locations for non-retail nonresidential development (downtown vs. other)

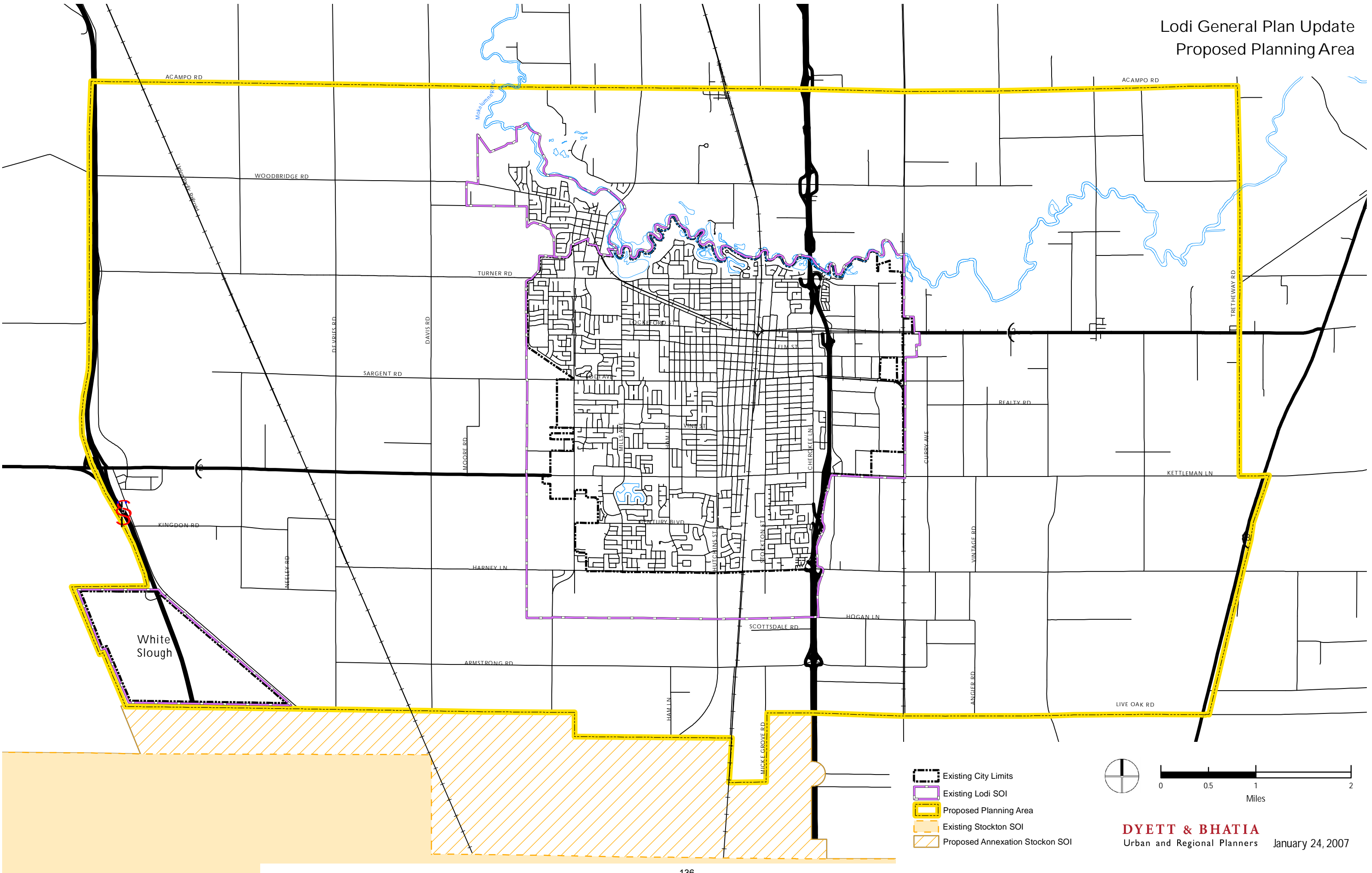
# Proposed Schedule for the City of Lodi General Plan Update and EIR



**DYETT & BHATIA**  
Urban and Regional Planners

March 1, 2007

Lodi General Plan Update  
Proposed Planning Area







## **CITY OF LODI COUNCIL COMMUNICATION**

**AGENDA TITLE:** Consideration of Adjustments to City Manager and City Attorney Employment Agreements

**MEETING DATE:** May 2, 2007 (Carried over from meetings of 4/4/07 and 4/18/07)

**PREPARED BY:** Randi Johl, City Clerk

---

**RECOMMENDED ACTION:** Consider adjustments to City Manager and City Attorney employment agreements.

**BACKGROUND INFORMATION:** This matter was previously agendized and discussed in Closed Session pursuant to the Brown Act. At the request of the City Council, the item has been agendized for open session.

**FISCAL IMPACT:** Unknown

**FUNDING AVAILABLE:** General Fund

---

Randi Johl  
City Clerk

Attachments

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

## City Manager Nine City Survey Comparison

City	Monthly Salary	Notes
Fairfield, City of	\$ 15,641	City vehicle, PERS not included in base but required to pay 3.5% toward PERS
Galt, City of	\$ 11,600	City vehicle, PERS not included in base
Manteca, City of	\$ 14,175	\$350/mo car allowance, 8% PERS incl. in base
Modesto, City of	\$ 15,185	\$400 vehicle allowance, .4% PERS included in salary
Ripon, City of	\$ 15,916	\$300/mo. car allowance, no PERS incl. in base
Roseville, City of	\$ 21,527	\$750 vehicle allowance, PERS not incl. in base
Tracy, City of	\$ 15,173	City vehicle or \$400/mo. car allowance, PERS not included in base
Turlock, City of	\$ 15,035	\$400 vehicle allowance, no PERS incl. in base
Vacaville, City of	\$ 14,461	No vehicle allowance, 7% PERS and 2% PARS included in base

<b>City Manager (City of Lodi)</b>		\$ 11,665
High	<b>Surveyed</b>	\$ 21,527
Low	<b>Surveyed</b>	\$ 11,600
Mean	<b>Surveyed</b>	\$ 15,412

# SAN JOAQUIN COUNTY SURVEY CITIES

## City Attorney

	Population		Monthly Salary		Notes
City of Galt	24,000		n/a		n/a
City of Lathrop	14,652		\$ 11,424		\$350/mo. car allowance, no PERS incl. in base
City of Manteca	63,703		n/a		n/a
City of Tracy	78,307		\$ 15,056		City vehicle or \$400/mo. car allowance, PERS not included in base
City of Stockton	260,000		\$ 15,200		\$450/mo. car allowance, no PERS incl. in base
City of Ripon	14,500		n/a		n/a
City of Lodi	62,000		\$ 10,417		

High	Surveyed	\$ 15,200
Low	Surveyed	\$ 11,424
Mean	Surveyed	\$ 13,893

Difference Mean vs. Lodi     \$ 3,476  
 Difference as percent         33.37%

# PUBLIC SAFETY SURVEY CITIES

## City Attorney

	Mo. Salary	Notes
Fairfield, City of	n/a	
Vacaville, City of	\$ 14,149	No vehicle allowance, 7% PERS and 2% PARS included in salary
Tracy, City of	\$ 15,056	City vehicle or \$400/mo. car allowance, PERS not included in base
Roseville, City of	\$ 17,655	\$750 vehicle allowance, PERS not incl. in base
Manteca, City of	n/a	
Modesto, City of	\$ 13,421	\$400 vehicle allowance, .4% PERS included in salary
Turlock, City of	\$ 12,078	\$200 vehicle allowance, no PERS incl. in base
Galt, City of	n/a	
Ripon, City of	n/a	

<b>City Attorney</b> <b>(City of Lodi)</b>		\$ 10,417
High	<b>Surveyed</b>	\$ 17,655
Low	<b>Surveyed</b>	\$ 12,078
Mean	<b>Surveyed</b>	\$ 14,472



# CITY OF LODI

## COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Adopt Resolution Certifying the Canvass of Election Results and Determining Results of the Election for Community Facilities District 2007-1 (Public Services) and Introduce Ordinance Entitled "An Ordinance of the City Council of the City of Lodi Levying and Apportioning the Special Tax in Community Facilities District No. 2007-1 (Public Services)"

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt a resolution certifying the canvass of election results and determining results of the election for Community Facilities District 2007-1 (Public Services) and introduce an ordinance entitled "An Ordinance of the City Council of the City of Lodi Levying and Apportioning the Special Tax in Community Facilities District No. 2007-1 (Public Services)".

**BACKGROUND INFORMATION:** The City of Lodi Community Facilities District No. 2007-1 (Public Services) was approved for formation at the April 4, 2007, Council meeting. The boundaries of this CFD include those certain parcels commonly known as Reynolds Ranch and which are subject to a development agreement previously entered into by and between the City and private landowners. Under the development agreement, the private landowners agreed to cooperate in the formation of a community facilities district, the purpose of which is to offset a portion of the costs caused by new development. The election was concluded April 18, 2007, and the measure passed. The ordinance introduced at this meeting will levy and apportion the special tax for the CFD.

**FISCAL IMPACT:** Annual special tax revenue in the amount of \$600 per single family detached dwelling unit and \$175 per multifamily dwelling unit.

**FUNDING AVAILABLE:** Costs for the formation are reimbursed to the City by the Reynolds Ranch Project Sponsor.

\_\_\_\_\_  
Richard C. Prima, Jr.  
Public Works Director

Prepared by F. Wally Sandelin, City Engineer/Deputy Public Works Director

RCP/FWS/pmf

cc: City Attorney

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LODI DECLARING THE RESULTS OF THE SPECIAL ELECTION  
HELD ON APRIL 11, 2007, IN COMMUNITY FACILITIES  
DISTRICT NO. 2007-1 (PUBLIC SERVICES)

=====

WHEREAS, the City Council on April 4, 2007, duly adopted its Resolution No. 2007-59 (the "Resolution of Formation"), which ordered a consolidated election in Community Facilities District No. 2007-1 (Public Services) (the "District") on the levy of the special tax and the establishment of an appropriations limit for the District; and

WHEREAS, pursuant to the terms of the resolution, the special election was held on April 11, 2007, and the City Clerk has duly canvassed the returns of the election as required by the resolution and has filed with the City Council a statement of all votes cast at the election showing the whole number of votes cast in the District and the whole number of votes cast for and against the measure and also filed, attached to the statement, her certificate as to the correctness of the statement (the "Statement of Election Results"), which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi that:

1. Recitals. The foregoing recitals are true and correct.
2. Canvass. The canvass by the City Clerk as shown by the Statement of Election Results is hereby ratified, confirmed, approved, and entered upon the minutes of this meeting.
3. Measure. At the election, the following measure was submitted to the qualified electors of the District:

Shall the City of Lodi be authorized to levy a special tax at the rates and apportioned as described in Exhibit C to the Resolution Declaring its Intention to Establish Community Facilities District No. 2007-1 (Public Services) adopted by the City Council on February 21, 2007 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Amended Map of Community Facilities District No. 2007-1 (Public Services), City of Lodi, County of San Joaquin," to finance certain services as set forth in Section 5 to the Resolution (including incidental expenses), and shall an appropriation limit be established for the CFD in the amount of special taxes collected?

4. Votes Cast; Election Results. The total number of votes cast in the District at the election was 181. The number of votes cast in favor of the measure was 181 and the number of votes cast against the measure was 0. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

**5. Notice of Special Tax Lien.** The City Clerk is hereby directed to record a Notice of Special Tax Lien with the County Recorder of San Joaquin County, in accordance with the provisions of Section 3114.5 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution.

Date: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the Lodi City Council in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_

EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, Randi Johl, City Clerk of the City of Lodi (the "City"), hereby certify that:

1. On April 11, 2007, at City Hall, 221 W. Pine Street, Lodi, California 95240, I canvassed the returns of the election called for April 11, 2007, in Community Facilities District No. 2007-1 (Public Services) on the following measure:

Shall the City of Lodi be authorized to levy a special tax at the rates and apportioned as described in Exhibit C to the Resolution Declaring its Intention to Establish Community Facilities District No. 2007-1 (Public Services) adopted by the City Council on February 21, 2007 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Amended Map of Community Facilities District No. 2007-1 (Public Services), City of Lodi, County of San Joaquin," to finance certain services as set forth in Section 5 to the Resolution (including incidental expenses), and shall an appropriation limit be established for the CFD in the amount of special taxes collected?

2. The total number of qualified landowner votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the measure are set forth below. The totals as shown for and against the measure are full, true, and correct. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Qualified Landowner Votes	Votes Cast	YES	NO
200	181	181	0

Dated: May 2, 2007

\_\_\_\_\_  
Randi Johl, City Clerk, City of Lodi



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LODI LEVYING AND APPORTIONING THE  
SPECIAL TAX IN COMMUNITY FACILITIES  
DISTRICT NO. 2007-1 (PUBLIC SERVICES)

=====

WHEREAS, City Council has established Community Facilities District No. 2007-1 (Public Services) (the "District") pursuant to Resolution No. 2007-\_\_ (the "Resolution of Formation"), duly adopted on April 4, 2007, for the purpose of providing for the financing of certain public services in and for the City;

WHEREAS, at an election held in the District on April 11, 2007, the qualified electors of the District authorized the levy of the special tax described in the Resolution of Formation;

NOW, THEREFORE, the City Council of the City of Lodi does ordain as follows:

1. Recitals. The foregoing recitals are true and correct.
2. Levy of Special Tax. Pursuant to Section 53340 of the California Government Code, the special tax is hereby levied at the maximum rates and apportioned in the manner specified in the Resolution of Formation.
3. Collection of Special Tax. Pursuant to Section 53340 of the California Government Code and the Resolution of Formation, the special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for *ad valorem* taxes; provided, however, that the City may directly bill the special tax, may collect special taxes at a different time or in a different manner if necessary to meet the financial obligations of the District or as otherwise determined appropriate by the City.
4. Claims for Refund. Claims for refund of the tax shall comply with the following and any additional procedures as established by the City Council:
  - (a) All claims shall be filed, in writing, with the City Treasurer during the Fiscal Year in which the error is believed to have occurred. The claimant shall file the claim within this time period and the claim shall be finally acted upon by the City Council as a prerequisite to bringing suit thereon.
  - (b) Pursuant to Government Code section 935(b), the claim shall be subject to the provisions of Government Code sections 945.6 and 946.
  - (c) The City Council shall act on a timely claim within the time period required by Government Code section 912.4.
  - (d) The procedure described in this Ordinance, and any additional procedures established by the City Council, shall be the exclusive claims procedure for claimants seeking a refund of the tax. The decision of the City Council shall be final.
5. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

6. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

7. Effective Date and Publication. This Ordinance was introduced by the Lodi City Council on May 2, 2007, and adopted by the Lodi City Council on \_\_\_\_\_, 2007. This Ordinance shall take effect thirty (30) days after its adoption. The City Council hereby directs the City Clerk to publish the full text of the ordinance within 15 days after its passage, with the names of the City Council members voting for and against the ordinance, pursuant to Government Code section 36933(a).

Approved this \_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
BOB JOHNSON  
Mayor

Attest:

RANDI JOHL  
City Clerk

=====  
State of California  
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was introduced at a regular meeting of the City Council of the City of Lodi held May 2, 2007, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. \_\_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

\_\_\_\_\_  
RANDI JOHL  
City Clerk

Approved as to Form:

\_\_\_\_\_  
D. STEPHEN SCHWABAUER  
City Attorney



TM

## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Overview of 2007-08 Operating and Capital Outlay Budget and Set Public Hearing for May 30, 2007, to Review and Receive Comments Regarding City of Lodi 2007-08 Operating and Capital Outlay Budget (CM)

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Kirk J. Evans, Budget Manager

**RECOMMENDED ACTION:** Receive staff's presentation and discussion regarding the FY 2007-08 Budget and set a public hearing for May 30, 2007, to review and receive comments regarding the City of Lodi 2007-08 Operating and Capital Outlay Budget.

**BACKGROUND INFORMATION:** For the third year in a row, the proposed recommended General Fund budget is balanced without requiring the use of General Fund reserves. This was accomplished in FY 2005-06, 2006-07 and will also be accomplished in FY 2007-08. The combination of moderate revenue growth, significant restraint in spending, and the application of best current municipal management practices has enabled staff to generate a balanced budget.

### General Fund

General Fund preliminary revenue estimates for FY 2007-08 are \$44,873,225 which is balanced against an expenditure projection of \$44,873,225. This will leave the estimated 6/30/2007 unreserved fund balance of \$3.5 million unchanged as of 6/30/2008. This positions the City close to half way towards the goal of a 15% cushion (fund balance).

### **General Fund Revenue Highlights**

- 1) **Sales Tax** – sales tax revenues in the City of Lodi, and as a general trend in cities across California, are flattening out. Total sales tax receipt estimates for the current FY 2006-07 are \$10,229,000 (\$7,595,000 sales & use tax plus \$2,634,000 in-lieu sales tax). For FY 2007-08 receipts are estimated to be \$10,209,000 (\$7,575,000 sales & use tax plus \$2,634,000 in-lieu sales tax). This decline would be more severe if not for the mitigating factor of the in-lieu sales tax remaining relatively firm. FY 2008-09 sales tax receipts will decline unless new retail establishments are brought on line.
- 2) **Property Tax** – Property tax revenues increased by \$1,150,600 (13.7%) between FY 2005-06 and 2006-07. Property tax receipt estimates for the current FY 2006-07 are \$9,525,600. According to the San Joaquin County Assessor's Office, the City of Lodi can feasibly project a 6.0% growth in secured property taxes for FY 2007-08. For FY 2007-08 receipts are estimated to

APPROVED: \_\_\_\_\_  
Blair King, City Manager

be \$10,097,136. Although the City has seen increases in property taxes over the past few years, the rate of growth relative to these increases is clearly declining. For FY 2008-09, there is zero growth projected in property tax revenues. Hopefully in that year the City will not experience an actual decline in revenue, but the potential does exist.

- 3) **In-Lieu Vehicle License Fees** – FY 2006-07 actual receipts are projected to be \$4,919,470. The budgeted amount for FY 2007-08 is \$5,165,444, which is a 5.0% increase.
- 4) **New/other revenues** – San Joaquin County municipal court will be leasing space in the Police Facility. Rent of this space in the amount of \$194,000 is included in the FY 2007-08 budget. Investment earnings in the amount of \$1,380,427 have been applied to appropriate accounts throughout the budget. Investment earnings will increase as cash reserves increase. The Budget Committee has recommended an adjustment to the Cable Television Franchise percentage. The recommendation is to increase the rate from 3.0% to 5.0%. A surcharge of \$5,000 has been included for the treatment of wastewater from local wineries.
- 5) **Community Facilities District** – Any city may establish a Mello-Roos Community Facilities District (CFD) to fund services. Funding can be for police protection, fire protection, parks, libraries, and other cultural facilities. The district may also recover expenses needed to form the CFD and administer the annual special taxes. It is estimated this revenue source will provide as much as \$1.2 million in additional revenue for future years.

#### General Fund Expenditure Highlights

- **Police Department mandated vacancies will be filled.** The City of Lodi is committed to Public Safety and maintains these services as a high priority. Actual expenditures for Police over the past few fiscal years has increased as shown:

2003-04	2004-05	2005-06	Projected 2006-07	Budgeted 2007-08
\$9,352,696	\$12,416,590	\$12,743,786	\$13,835,161	\$14,353,370

The percentage share of total general fund expenditures for Police over the past few fiscal years has increased as follows:

2003-04	2004-05	2005-06	Projected 2006-07	Budgeted 2007-08
24.7%	30.1%	29.9%	32.3%	32.0%

At the present time two mandated vacancies remain in the Police Department - one Dispatcher Jailer position and one Police Records Clerk I/II position. These mandated vacancies will be eliminated and the positions filled. This will allow for 100% staffing in the Department at a level of 118 positions and result in a return to earlier year's staffing levels. The 118 figure does not include Community Improvement Officer positions that may be transferred into the Police Department - this is discussed further below. At the time of this writing, there are four Police Officer vacancies. These are not mandated vacancies and can be filled at any time. Streamlined recruitment procedures which now provide Police with much greater autonomy in hiring employees will ensure staffing in this department is maintained at the highest level possible.

- **Fire Department.** As with Police, the City of Lodi is committed to Fire and maintains this service as a high priority. Actual expenditures for Fire over the past several fiscal years has increased as shown:

2003-04	2004-05	2005-06	Projected 2006-07	Budgeted 2007-08
\$5,922,631	\$8,085,097	\$8,263,635	\$8,700,219	\$9,012,340

The percentage share of total general fund expenditures for Fire over the past several fiscal years has increased as follows:

2003-04	2004-05	2005-06	Projected 2006-07	Budgeted 2007-08
15.7%	19.6%	19.4%	20.3%	20.1%

The Police and Fire Departments combined currently comprise 52.6% of total General Fund expenditures.

There are no mandated vacancies in the Fire Department. This allows for 100% staffing in the Department at a level of 64 positions. This is the greatest number of positions in the Department ever. At the time of this writing, there are three Fire vacancies – a Fire Division Chief, Fire Engineer, and Firefighter. These are not mandated vacancies and can be filled at any time.

- **Community Improvement move to Police Department.** There is a proposal to restructure the Community Improvement Division. This would include costs associated with removing an administrative clerk and two code enforcement officer positions from the Community Development Department and establishing an administrative clerk and three code enforcement officer positions in the police Department. This change would add \$339,350 to the Police Department budget.
- **Hutchins Street Square and Parks & Recreation consolidation.** The potential to deliver better programs and promote efficiencies in service delivery could be possible with the merging of the Community Center and Parks & Recreation into one new Recreation and Cultural Services Department.
- **Debt Service Payment - \$1,687,000.** Certificates of Participation (COPs) were issued in 2002 to provide financing for the construction of the new Police Facility and to refund outstanding 1995 and 1996 COPs. These COPs were sold to finance the Downtown Revitalization and Cherokee Lane Beautification projects, as well as construction of the Hutchins Street Square Conference and Performing Arts Center. Annual payments - for FY 2007-08 the amount is \$1,687,000 - must be made on the 2002 COP until October, 2031. This represents an ongoing demand on the General Fund for quite an extended period of time.

### **Electric Fund**

The Electric Fund preliminary estimated 6/30/2007 fund balance is \$5,571,823. Preliminary revenue estimates for FY 2007-08 are \$76,982,257 with an expenditure projection of \$75,454,770. This will contribute \$1,527,487 towards an estimated 6/30/2008 fund balance of \$7,099,310.

- **Energy Cost Adjustment (ECA)** - An ECA will be incorporated into electric rates to ensure that sufficient revenue is generated to cover any increases in electricity costs over the course of FY 2007-08 and beyond.
- **Avoidance of line extensions costs** - the savings realized by charging developers the amount it costs to service homes will be as much as \$400,000 to \$500,000 per year.
- **Payment in Lieu of Taxes** – past City policy provided that the Electric Utility, Water fund and Wastewater fund may transfer up to 12 percent of each enterprise fund's revenues to the general fund as payment in-lieu of taxes (PILOT). City Council approved a new policy on 2/7/2007 limiting increases in the PILOT to changes in the number of customers. In FY 2006-07 the Electric Utility PILOT was budgeted at 10.6% of revenue. This percentage will decline with the passage of time since customer growth does not increase as quickly as revenue growth.

### **Water Fund**

The Water Fund preliminary estimated 6/30/2007 fund balance is \$534,780. Preliminary revenue estimates for FY 2007-08 are \$18,963,700 with an expenditure projection of \$16,740,530. This will contribute \$2,223,170 towards an estimated 6/30/2008 fund balance of \$2,757,950.

### **Wastewater Fund**

The Wastewater Fund preliminary estimated 6/30/2007 fund balance is \$1,757,400. Preliminary revenue estimates for FY 2007-08 are \$39,066,020 with an expenditure projection of \$38,424,330. This will contribute \$641,690 towards an estimated 6/30/2008 fund balance of \$2,399,090.

### **Streets Fund**

The Streets Fund preliminary estimated 6/30/2007 fund balance is \$3,819,850. Preliminary revenue estimates for FY 2007-08 are \$4,847,014 with an expenditure projection of \$6,239,110. This will reduce the 6/30/2007 fund balance by \$1,392,096 to produce an estimated 6/30/2008 fund balance of \$2,427,754.

### **Vehicle Replacement Fund**

The Vehicle Replacement Fund preliminary estimated 6/30/2007 fund balance is \$628,380. Preliminary revenue estimates for FY 2007-08 are \$630,230 with an expenditure projection of \$244,000. This will contribute \$386,230 towards an estimated 6/30/2008 fund balance of \$1,014,610.

### **Library Fund**

The Library Fund preliminary estimated 6/30/2007 fund balance is \$602,080. Preliminary revenue estimates for FY 2007-08 are \$1,738,990 with an expenditure projection of \$1,749,760. This will reduce the 6/30/2007 fund balance by \$10,770 to produce an estimated 6/30/2008 fund balance of \$591,310. Note that this expenditure projection does not include a proposed \$2.2 million Library Renovation.

**FISCAL IMPACT:** N/A

**FUNDING AVAILABLE:** N/A

---

James R. Krueger,  
Deputy City Manager

---

Kirk J. Evans  
Budget Manager

KJE  
Attachments

cc: City Attorney



## CITY OF LODI COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Consideration of the Status of Animal Shelter Task Force

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Randi Johl, City Clerk

---

**RECOMMENDED ACTION:** Consideration of the status of the Animal Shelter Task Force, and, if so desired, adopt resolution dissolving the Animal Shelter Task Force, creating the Lodi Animal Shelter Advisory Committee, and directing staff to return to the City Council at a future date with specific information, including, but not limited to, membership, terms, meetings, purpose, and other information as requested.

**BACKGROUND INFORMATION:** The Animal Shelter Task Force was created on September 20, 2000, to review the needs of the Animal Shelter in the City of Lodi and provide both short-term and long-term recommendations regarding the same. The Task Force currently consists of seven members with unspecified terms. The meeting schedule is as called and the staff liaison is Jeannie Biskup, Special Services Manager. The Task Force's highlights since creation include an in depth report pertaining to current and future animal shelter needs and recommendations regarding a new location and facility. Due to funding restrictions, a new facility was not built; however, the City Council authorized a temporary modular building to be moved to the Lodi Animal Shelter and approved a related Memorandum of Understanding. Staff recently received requests pertaining to the functionality of the Task Force. The matter was discussed at the March 20, 2007, Shirtsleeve Session, which included an overall review of the City's boards and commissions. At that time, staff received various suggestions pertaining to the permanent status of the Task Force and membership and indicated it would be returning to the Council for direction.

If the Council so desires, it may make the Task Force more permanent in nature by creating a committee or commission. The creation of either a committee or commission requires specific determinations be made as to (1) membership, (2) terms, (3) location, date, time, and place of meetings, and (4) purpose. In addition, appointment to either a committee or commission will require the City meet its obligations regarding legal notifications, the application process, and postings.

Both a committee and a commission are subject to the Brown Act. The primary difference between the two procedurally is that the commission is codified in the City's Municipal Code. As a result, creation of the commission would be by ordinance and requires two readings for passage. In addition, any future changes or additions, however small or large, would require code amendments to the Municipal Code. These changes may include, but are not limited to, membership numbers, change in meetings location or dates, etc. Changes to a committee can be accomplished at a single Council meeting. In addition, the advisory nature of the group may be better served through a committee, rather than a commission.

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

Given the above, staff recommends the City Council, if so desired, dissolve the Animal Shelter Task Force, create the Lodi Animal Shelter Advisory Committee, and direct staff to return to the City Council at a future date with specific information, including, but not limited to, membership, terms, meetings, purpose, and other information as requested.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

---

Randi Johl  
City Clerk





## CITY OF LODI COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Approve Lodi Tourism Business Improvement District (LTBID) 2007 Annual Report, as Submitted by the LTBID Board of Directors

**MEETING DATE:** May 2, 2007

**PREPARED BY:** Randi Johl, City Clerk

---

**RECOMMENDED ACTION:** Approve the Lodi Tourism Business Improvement District (LTBID) 2007 Annual Report, as submitted by the LTBID Board of Directors.

**BACKGROUND INFORMATION:** Pursuant to Lodi Municipal Code Chapter 12.07 and Streets and Highways Code Section 36500 et seq., the LTBID membership Board is required to present an Annual Report (Exhibit A) for City Council's review and approval. This must be done prior to the public hearing and adoption of a resolution confirming the 2007 Annual Report and levy of assessment. The City collects an administrative fee of five percent from the LTBID assessment. Representatives of the LTBID will be present to make a presentation regarding the attached report. The levy of the annual assessment will be discussed at a public hearing prior to the September 1, 2007, date required by law.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

---

Randi Johl  
City Clerk

RJ/jmp

Attachment

---

**APPROVED:** \_\_\_\_\_  
Blair King, City Manager



April 10, 2007

Randi Johl  
City Clerk  
City of Lodi  
221 W. Pine St.  
Lodi, CA 95240

Dear Ms. Johl,

Attached is the 2007 Annual Report for the Lodi Tourism Business Improvement District (LTBID) which was established October 6, 2004 by City Ordinance 1753 and was amended February 16, 2005 by Resolution No. 2005-37.

Enclosed you will find a 2007 work plan, budget and method of assessment, as required by the California Streets and Highways Code #33650. Please note there are no suggested changes to the District at this time.

I plan to present the work plan at the April 18<sup>th</sup> City Council meeting. Please feel free to call me with any questions you may have.

Sincerely,

Nancy Beckman  
Executive Director

# **Lodi Conference & Visitors Bureau**

## **2007 Work Plan**

### **2007 Proposed Programmatic Changes**

1. The LCVB newsletter is being replaced with a mid-year and annual report.
2. Quarterly direct mailers will no longer be sent to leisure consumers.
3. Ads in the Sacramento Visitor Guide, Diablo, and Sacramento Magazines will not be renewed and instead we propose to pick up an ad in the California Drives Guide to complement our annual ad in the California Travel Planner.
4. We have budgeted to work with a PR firm to get press for Lodi. We have deleted the budget for the media day and the press trips to balance out the expense of the PR firm.
5. We have added Taste of Lodi as a revenue generating event.
6. We have dropped the SF Media Reception and the California Travel Market.

## **Marketing/Promotion Activities**

### **Leisure Market**

Targeted Advertising: Ads will be placed in both the California Travel Planner and the California Drive Guide. Ads will include a response measure for tracking purposes.

Trade Shows: LCVB staff will attend two travel trade shows (Bay Area and Sunset Travel Shows) geared toward the Leisure Travel Market. Whenever possible, additional representatives from the Lodi area will attend. All leads will be tracked and a database of contacts will be maintained for future marketing opportunities.

Taste of Lodi: The LCVB will produce this annual signature event to 1.) Draw in visitors and 2.) Showcase and market Lodi as a Wine Country tourism destination.

LodiView: Continue offering LodiView as a monthly e-publication highlighting events and activities of interest to the tourist. A goal will be to increase distribution by 25%.

### **Group Market**

Tradeshows: The Lodi Conference & Visitors Bureau will attend two trade/sales shows created for the group market: The California Society of Association Executives (Cal SAE) and the National Tour Operator Travel & Tourism Exchange. All sales leads will be followed up on and added to our database for future marketing opportunities.

Fam Tours: The Lodi CVB Group Sales Manager will utilize Fam Tours as a tool to market Lodi as a group meeting destination.

Direct Mail Campaign: Quarterly fliers/brochures will be mailed to group sales decision makers to reinforce the Lodi tourism message.

Sponsorships: Sponsorships at Tradeshows will be utilized (when appropriate and as funding allows) as a method by which to introduce the group market to Lodi as a destination.

## Public Relations

### Public Relations

A PR firm will be retained to assist in the promotion of Lodi as a Wine Country Destination. Quarterly pushes will be made to attain media coverage for Lodi.

## Customer Service/Hospitality

Visitor Information Packets: Visitor information will be distributed on request to individuals or groups. In 2007, an estimated 4,000 requests for information will be filled.

Website: The visitlodi.com website will be maintained and updated as necessary. The goal of the website is twofold: 1.) To educate and create awareness of Lodi as a visitor destination and to 2.) Provide the highest degree of customer service by ensuring that visitor information is complete, up-to-date and easily accessible.

Visitor Publications: The LCVB will develop and maintain a number of publications geared to increase availability of visitor information.

- **Community Book:** A revised, updated community book will be produced in 2007. The book which is designed to showcase Lodi to potential visitors and tourists is currently distributed to hotels/wineries and other tourist attractions. It is the main marketing piece for the LCVB and is mailed upon request and is distributed at Travel Trade shows. The book has an estimated 18 month shelf-life.
- **Festival & Events Calendar:** The LCVB will produce an in-house designed/printed Festival & Events Calendar. The Calendar, produced annually, is a quick reference to events in the Lodi area and is distributed at the hotels, tradeshow, and in visitor information packets.
- **Visitor Attraction Map & Guide:** In 2007 the LCVB will continue to distribute the Visitor Attraction Map & Guide. The map comes in a "pad", and is distributed to hotels and other attractions to utilize when visitors are looking for directions to attractions. The map is designed to fold into a brochure so that it can be used in a card rack or as a self-mailer.
- **Meeting Facilities Brochure:** Produced in-house, the Meeting Facilities Brochure is designed to provide information to potential consumers on event facilities.

Hotel Brochure Distribution: LCVB staff will provide a monthly brochure distribution service to all Lodi hotels. The goal is to ensure that visitor information is widely available and easily accessible to guests.

### **Communications**

Mid-Year and Annual Report: In 2007 the LCVB newsletter is being replaced by a mid-year and annual report. The reports will be distributed to local constituents and individuals vested in the tourism industry as a way to inform the public as to the programs and services undertaken by the Conference & Visitors Bureau.

## **2007 Lodi Tourism Business Improvement District Annual Report**

**Assessment Funding Purpose:** To administer marketing programs to promote the City of Lodi as a tourism destination and to fund projects, programs, and activities that benefit hotels within the City of Lodi.

**Method of Assessment:** The LTBD includes hotels/lodging facilities within the City of Lodi. Each lodging facility within the district shall be assessed 3% of the gross room rental revenue. Rentals (stays) lasting over 30 days are not subject to the assessment. The assessment is levied annual and collected quarterly.

### **2007 Work Plan (See Attached)**

For the purpose of the Annual Report presentation, we have broken our 2006 work plan into 4 project areas:

- Marketing/Promotional Activities
- Public Relations
- Customer Service & Hospitality
- Communications

### **2007 Budget**

Income - BID	\$193,500.00
Income-City of Lodi	\$101,000.00
Income-Community Book	\$5,000.00
Income - Taste of Lodi	\$52,000.00
<b>Total Income</b>	<b>\$351,500.00</b>
Advertising	\$15,673.00
Automobile Expense	\$4,380.00
Bank Service Charges	\$50.00
Contingencies/Unexpected Opportunities	\$6,000.00
Dues & Subscriptions	\$2,775.00
Education/Conferences	\$1,275.00
Equipment Lease - Copier	\$3,612.00
Event Expenses - Taste of Lodi	\$47,321.00
Furniture & Fixtures	\$3,000.00
Gifts	\$150.00
Hospitality/Meals	\$2,500.00
<b>Insurance</b>	
Directors & Officers	\$1,562.00
Health	\$11,500.00
Liability	\$550.00
Work Comp	\$1,423.00
<b>Office Expenses</b>	
Maintenance	\$3,600.00
Supplies	\$1,170.00
<b>Personnel</b>	
Salaries	\$136,500.00



Benefits	\$4,760.00
Postage & Delivery	\$3,000.00
Printing & Reproduction	\$8,081.00
<u>Professional Fees</u>	
Accounting	\$3,500.00
Administration-City of Lodi	\$9,675.00
Legal Fees	\$250.00
Promotion	\$20,735.00
Rent	\$25,445.00
<u>Repairs</u>	
Computer Repairs	\$3,600.00
<u>Tax &amp; License</u>	
Payroll	\$12,396.00
Property	\$2,372.00
Licenses	\$70.00
Telephone	\$2,400.00
Trade Shows	\$4,550.00
<u>Travel &amp; Entertainment</u>	
Meals	\$880.00
Travel	\$3,625.00
Utilities - Gas & Electric	\$3,120.00
<b>Total Expense</b>	<b>\$351,500.00</b>
 <b>Net Profit (Loss)</b>	 <b>\$0.00</b>



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution approving reclassification and salary adjustment for City Engineer and equity pay adjustment for Public Works Director

**MEETING DATE:** May 2, 2007 City Council Meeting

**PREPARED BY:** City Manager's Office

---

**RECOMMENDED ACTION:** Adopt Resolution approving reclassification and salary adjustment for City Engineer and equity pay adjustment for Public Works Director.

**BACKGROUND INFORMATION:** After seven years of service with the City of Lodi, our City Engineer recently resigned to take a position with a private engineering firm. An open recruitment will be conducted for the City Engineer. We have completed a salary survey for the position and it is evident that the market for City Engineers is extremely competitive. Many of the positions advertised in current job recruitment publications are for engineers at many different levels with salary ranges that exceed the City of Lodi's pay range for this position. The demand for engineers is high and in order to attract an appropriate professional to fill the position it is recommended that the salary range be adjusted to reflect market conditions.

The current pay range for Lodi's City Engineer is \$7,479 - \$9,091 per month. The attached salary survey is indicative of the need to adjust the monthly salary for this position to a range of \$8,629 - \$10,488 per month (a 15% increase). If Council agrees with the recommendation to adjust the salary range for the City Engineer, then it would be appropriate to adjust the salary range of the Public Works Director to allow for an appropriate differential between the two positions. A nine percent (9%) differential between the two would result in a salary of \$11,427 per month for the Public Works Director. The current high point for the Public Works Director is \$10,595 and increasing the high point salary to \$11,427 would be a 9% increase for the Public Works Director.

Staff recommends that the City Engineer salary range be adjusted to \$8,629-\$10,488 (annual salary of \$125,856) and that the Public Works Director salary control point be adjusted to \$10,517 (annual salary of \$126,204) and that the high point be adjusted to \$11,427 per month (annual salary of \$137,118).

**FISCAL IMPACT:** The annual cost for both of these salary adjustments is approximately \$38,400.

**FUNDING AVAILABLE:** There are sufficient funds available in the Public Works Department budget to accommodate these adjustments in fiscal year 2006-07

Approved:

Approved:

---

Kirk Evans, Budget Manager

---

Jim Krueger, Deputy City Manager

Attachment

---

APPROVED:

---

Blair King, City Manager

## City Engineer Survey

	<b>Min. Mo. Salary</b>	<b>Max. Mo. Salary</b>
Fairfield, City of	\$ 9,394	\$ 11,419
Galt, City of	\$ 8,229	\$ 10,003
Manteca, City of	\$ 9,642	\$ 11,719
Modesto, City of	\$ 7,822	\$ 9,531
Ripon, City of	\$ 8,992	\$ 10,930
Roseville, City of	\$ 8,288	\$ 11,106
Tracy, City of	\$ 8,320	\$ 10,113
Turlock, City of	\$ 7,519	\$ 9,138
Vacaville, City of	\$ 8,587	\$ 10,438

City of Lodi	\$ 7,480	\$ 9,092
--------------	----------	----------

High	<b>Surveyed</b>	<b>\$ 11,719</b>
Low	<b>Surveyed</b>	<b>\$ 9,138</b>
Mean	<b>Surveyed</b>	<b>\$ 10,489</b>

Difference Mean vs. Lodi                      \$ 1,397  
Difference as percent                              15.36%

### Recommended Range for Lodi

**\$8,629 \$ 10,488**

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING RECLASSIFICATION AND SALARY  
ADJUSTMENT FOR CITY ENGINEER, AND EQUITY PAY  
ADJUSTMENT FOR PUBLIC WORKS DIRECTOR

=====

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby  
approves the salary range adjustment for City Engineer as follows:

\$8,629-\$10,488; and

BE IT FURTHER RESOLVED, that the Public Works Director salary control point  
be adjusted as follows:

Proposed Annual	
Control Point	High Point
\$ 10,517	\$ 11,427

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the  
City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following  
vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_



# CITY OF LODI

## COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Adopt Resolution Approving Control Point Adjustments for Executive Management and Cost of Living Adjustments for Unrepresented Mid-Managers.

**MEETING DATE:** May 2, 2007

**PREPARED BY:** City Manager's Office

**RECOMMENDED ACTION:** Adopt Resolution approving control point adjustments for Executive Management and cost of living adjustments for unrepresented Mid-Managers.

**BACKGROUND INFORMATION:** The primary purpose of the system used by the City to compensate Executive Management and unrepresented Mid-Managers is to provide a system to recruit and retain the best available talent available and to provide incentives for peak performance. In order for that purpose to be fulfilled, pay ranges need to be competitive with other jurisdictions.

The pay system used for executive managers includes the use of control pay points as the benchmark for comparison with other jurisdictions and to provide uniformity of pay within those various positions. The pay ranges for the positions covered within this system are set at the control pay point and may vary 10% above or below this control point. Control pay points are used in place of the range and steps used for other city employees. The control pay points for all employees in this class (department heads) have not been adjusted since July, 2004. Council recently approved a cost of living increase of 4% for the Lodi City Mid Management Association (LCMMA). The following table shows the current control and high points and what those control and high points would be with a 4% cost of living adjustment. This proposal provides pay increases for those Executive Management positions that have not received any increases since July, 2004 (Police Chief and Fire Chief). The following shows these adjustments:

	Current Annual		Proposed Annual	
	Control Point	High Point	Control Point	High Point
Police Chief	119,592	131,844	124,376	137,118
Fire Chief	112,872	124,440	117,387	129,418
Community Center Director	91,932	101,364	95,609	105,170
Community Development Director	113,628	127,890*	118,173	133,006
Deputy City Manager	108,432	119,556	112,769	124,338
Electric Utility Director	127,560	154,535*	132,662	160,716
Parks and Recreation Director	112,608	124,140	117,112	129,106

\* The high points have been adjusted to reflect the employment contracts for these two positions.

Unrepresented mid-management employees have not received any cost of living increases since January, 2005 and are also recommended to receive a 4% cost of living increase at this time. This later group includes: Deputy City Attorney, Finance Division Manager, Budget Division Manager and Management Analysts I and II in the Human Resources- Risk Management Division. It is proposed that this last group receive a 4% cost of living increase that would be added to their current salary amount.

APPROVED:

Blair King, City Manager

For both the Executive Managers and Mid-Management employees, it is proposed that the pay adjustments be made retroactive back to January 1, 2007.

**FISCAL IMPACT:** The annual cost for a 4% increase for the Police Chief, Fire Chief and the Public Works Director is \$23,000 and for the unrepresented mid-managers the annual cost is \$35,000. The cost for this fiscal year (2006-07) is estimated to be \$11,500 for Executive Management and \$17,500 for unrepresented mid-management

**FUNDING AVAILABLE:** There are sufficient funds available in the departmental budgets to accommodate these adjustments.

Approved:

Approved:

---

Kirk Evans, Budget Manager

---

Jim Krueger, Deputy City Manager

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING CONTROL POINT ADJUSTMENTS FOR  
VARIOUS EXECUTIVE MANAGEMENT POSITIONS, AND  
COST OF LIVING ADJUSTMENTS FOR TWO  
EXECUTIVE MANAGEMENT POSITIONS AND VARIOUS  
UNREPRESENTED MID-MANAGERS

=====

WHEREAS, it is the policy of the City Council to provide fair and equitable compensation to employees for their services consistent with their qualifications, responsibilities, and performance; and

WHEREAS, the City Manager recommends adjusting the Control Points on the following Executive Management positions:

	<b>Proposed Annual</b>	
	<b>Control Point</b>	<b>High Point</b>
Police Chief	124,376	137,118
Fire Chief	117,387	129,418
Community Center Director	95,609	105,170
Community Development Director	118,173	133,006
Deputy City Manager	112,769	124,338
Electric Utility Director	132,662	160,716
Parks and Recreation Director	117,112	129,106

WHEREAS, the City Manager further recommends granting the positions of Police Chief and Fire Chief a 4% cost of living increase due to the fact that they have not received any salary increases since July, 2004; and

WHEREAS, the City Manager also recommends a 4% cost of living increase for unrepresented mid-management employees who have not received any cost of living increases since January, 2005, i.e. Deputy City Attorney, Finance Division Manager, Budget Division Manager and Management Analysts I and II in the Human Resources-Risk Management Division, which would be added to their current base salary.

WHEREAS, the City Manager recommends that for both the Executive Managers and Mid-Management employees that the pay adjustments be made retroactive back to January 1, 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Lodi City Council that the control point adjustments are hereby approved as outlined above; and

BE IT FURTHER RESOLVED, that the Lodi City Council hereby approves a 4% cost of living increase for the positions of Police Chief and Fire Chief; to be retroactive back to January 1, 2007.

BE IT FURTHER RESOLVED, that the Lodi City Council hereby approves a 4% cost of living increase for unrepresented mid-management employees i.e. Deputy City Attorney, Finance Division Manager, Budget Division Manager and Management Analysts

I and II in the Human Resources- Risk Management Division, to be added to their current base salary retroactive back to January 1, 2007.

Dated: May 2, 2007

=====

I hereby certify that Resolution No. 2007-\_\_\_\_\_ was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL  
City Clerk

2007-\_\_\_\_\_